Washington, Thursday, November 10, 1955

### TITLE 5—ADMINISTRATIVE PERSONNEL

#### Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF STATE; DEPARTMENT OF THE ARMY

Effective upon publication in the Federal Register, paragraph (a) (23) is added to § 6.302 and paragraph (a) (9) is added to § 6.305, as set out below.

§ 6.302 Department of State—(a) Office of the Secretary. \* \* \*

(23) The Chief of Protocol, Office of the Under Secretary.

§ 6.305 Department of the Army— (a) Office of the Secretary. \* \* \*

(9) One Special Assistant to the Assistant Secretary of the Army (Logistics) for Procurement.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, 18 F. R. 1823, 3 CFR 1953 Supp.)

United States Civil Service Commission,
[Seal] Wm. C. Hull,

Executive Assistant.

[F. R. Doc. 55-9115; Filed, Nov. 9, 1955; 8:57 a. m.]

PART 24—FORMAL EDUCATION REQUIRE-MENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFES-SIONAL POSITIONS

#### GEOPHYSICIST

Section 24.127 is added to read as set out below.

§ 24.127 Geophysicist (Earth Physics, Geomagnetics, Seismology) GS-1313-5-15—(a) Educational requirement. Applicants must have completed one of the following:

(1) A full 4-year course in an accredited college or university leading to a bachelor's degree including courses in mathematics and physics (inclusive of geophysics) totaling 24 semester hours, and courses in the physical sciences (engineering, geology, astronomy, elec-

tronics, etc.) totaling 6 semester hours;

(2) Courses in mathematics and physics in an accredited college or university totaling 24 semester hours; plus additional appropriate experience or education in scientific fields which when combined with the 24 semester hours in mathematics and physics will total 4 years of education and experience and give the applicant a technical and professional knowledge, comparable to that which would have been acquired through the successful completion of the 4-year college course described in subparagraph (1) of this paragraph.

In either subparagraph (1) or (2) of this paragraph, the courses must have included a minimum of 10 semester hours in any combination of courses in trigonometry, differential calculus, integral calculus, theory of equations, vector analysis, higher algebra (beyond elementary college algebra) differential equations, advanced calculus; and a minimum of 8 semester hours in physics. All of the courses specified in subparagraph (1) or (2) of this paragraph must have been accepted for credit toward the completion of a standard 4-year professional curriculum leading to a bachelor's degree at an accredited college or university.

Geophysicists apply (b) Duties mathematics and physics to the solution of geophysical problems or the geophysical interpretation of scientific phenom-The duties deal with: (1) The ena. electric, magnetic and gravitational field of the earth, (2) deformation of the earth, (3) the motion and constitution of the earth, (4) cosmic physics in its relation to the earth and its atmosphere, (5) response of the earth to artificially applied fields of force. The duties include making observations in the field or at fixed stations, interpreting the results, preparing charts and tabulations, and securing other information required for interpretations; designing or assisting in constructing specialized apparatus and equipment for use in connection with geophysical measurements, and the testing and calibrating of such apparatus and equipment; making reports and preparing articles for publication.

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Published daily, except Sundays, Mondays, and days following official Federal holidays by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Govern-ment Printing Office, Washington 25, D. C. The Federal Register will be furnished by

mail to subscribers, free of postage, for \$1.50 mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

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is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The Cope of Federal Register Act, as ERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

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(For use during 1955)

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(c) Knowledge and training requisite for performance of duties. The duties of these positions can not be performed without a sound basic knowledge of fundamental mathematics and physics and broad training in related scientific fields. These duties require exacting knowledge and training. Appointees must have the ability to apply scientific knowledges to the work in order to solve specific problems, interpret and apply the results of research in geophysics and related sciences, and to perform research in geophysics. The knowledge and training required can only be acquired through a planned and directed course of study in an accredited college or university where there are adequate scientific libraries and well-equipped laboratories, where competent instruction and guidance are available, where courses are arranged in a systematic, progressive schedule, and where progress in the acquisition of professional and scientific knowledge is competently evaluated.

(Sec. 11, 58 Stat. 390; 5 U.S. C. 860)

United States Civil Serv-ICE COMMISSION. WM. C. HULL, [SEAL]

Executive Assistant.

[F. R. Doc. 55-9072; Filed, Nov. 9, 1955; 8:49 a. m.]

#### TITLE 25—INDIANS

#### Chapter I-Bureau of Indian Affairs, Department of the Interior

PART 100—FLATHEAD, MISSION, AND JOCKO VALLEY IRRIGATION DISTRICTS, MONTANA

> PENALTY FOR NON-PAYMENT OF ASSESSMENTS

On July 6, 1955, there was published in the Federal Register, 20 F R. 4775, notice of intention, to amend § 100.8 Penalty for non-payment of assessments of Title 25, Code of Federal Regulations.

Interested persons were thereby given opportunity to participate in preparing the amendment by submitting their views, data or arguments in writing within 30 days from the date of publication of the notice of intention. No objections were submitted. Accordingly § 100.8 is as follows, to be effective for the season of 1956 and thereafter until further notice:

§ 100.8 Penalty for non-payment of sessments. All assessments duly auassessments. thorized shall be paid on the due date to the properly designated Officer of the Indian Irrigation Service at St. Ignatius, Montana, and on all such assessments remaining unpaid on and after March 1, and August 1, following the due dates there shall be assessed a penalty of onehalf percent per month or fraction thereof, from the due date until paid.

(Secs. 1, 3, 36 Stat. 270, 272, as amended, 23 U. S. C. 385)

> CLARENCE A. DAVIS. Acting Secretary of the Interior.

NOVELIBER 3, 1955.

[F. R. Doc. 55-9052; Filed, Nov. 9, 1955; 8:45 a. m.1

#### TITLE 7—AGRICULTURE

#### Subtitle A—Office of the Secretary of Agriculture

[Amdt. 3]

PART 7-AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEES

SUBPART—SELECTION AND FUNCTIONS OF AGRICULTURAL STABILIZATION AND CON-SERVATION COUNTY AND COMMUNITY COLUMNTEES

#### ACTUIG COUNTY COMMITTEE DURING INVESTIGATION

By virtue of the authority vested in the Secretary of Agriculture by the Soil Conservation and Domestic Allotment Act, as amended, § 7.30 (b) of the regulations in this subpart published in the FEDERAL REGISTER of June 19, 1954 (19 F. R. 3637) is hereby amended, effective upon filing with the Director, Division of the Federal Register, as follows:

§ 7.30 County and community committeemen and members of community election boards. . . .

(b) If because of an investigation there are less than two members or alternates available to serve on the county committee, the State Committee shall designate a person to administer the programs in the county pending the exoneration or removal of those under investigation, and if removed, pending the election of new county committee members and alternates. Such person may be the remaining member or alternate member of the committee if available. Any person named by the State Committee in such capacity shall, notwithstanding the provisions of § 7.41, have full authority to perform all duties regularly performed by a duly elected county committee.

(Sec. 5, 49 Stat. 164, as amended; 16 U.S. C. 590d. Interprets or applies 49 Stat. 1149, as amended; 16 U.S. C. 593h.)

Done at Washington, D. C., this 7th day of November 1955. Witness my hand and seal of the Department of Agriculture.

TRUE D. MORSE, Acting Secretary of Agriculture. [F. R. Doc. 55-8886; Filed, Nov. 9, 1955; 8:48 a.m.]

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 26-GRAIN STANDARDS

SUPPART A-REGULATIONS

HISPECTOR HOT TO BE THTERESTED IN GRAIN; QUALIFICATIONS OF SAMPLER

On September 13, 1955, there was published in the Federal Register (20 F R. 6713) a notice of a proposal to amend §§ 26.23 and 26.24 of the Regulations of the Secretary of Agriculture under the United States Grain Standards Act, as amended (7 CFR 26.23, 26.24; 7 U.S.C. 84). Interested parties were given thirty days in which to submit written data, views, or arguments concerning the proposed amendments.

The purpose of these amendments is to amplify and clarify §§ 26.23 and 26.24 of the regulations which will aid in the administration of the provisions of Section 7 of the Act with respect to activities of licensed grain inspectors, and persons who draw samples of grain for them, in connection with grain handling and merchandising operations.

After due consideration of all relevant material, arguments, and opinions received and all data available in the Department of Agriculture on this proposal, the said §§ 26.23 and 26.24 are hereby amended pursuant to the provisions of section 8 of the United States Grain Standards Act, as amended (39 Stat. 485; 7 U.S. C. 84) to read:

§ 26.23 Inspector not to be interested in grain. No licensed inspector shall be interested, financially or otherwise, directly or indirectly, in any grain elevator for warehouse, or in the merchandising of grain, including the binning, mixing, blending, drying or other preparation of grain for purposes of warehousing, storage, shipment, or otherwise, nor shall he be in the employment of any person or corporation owning or operating a grain elevator or warehouse, nor shall he issue a certificate of grade for any grain in which he is directly or indirectly financially interested.

§ 26.24 Qualifications of sampler. No licensed inspector shall issue a certificate of grade for a lot or parcel of grain based upon a sample thereof drawn by a sampler who is not employed by him or his inspection department, or who is not an employee of the United States Depart-ment of Agriculture approved for the purpose by a grain supervisor, or who is interested, financially or otherwise, di-rectly or indirectly, in the grain involved or in any grain elevator or warehouse or in the merchandising of grain, including the binning, mixing, blending, drying, or other preparation of grain for purposes of warehousing, storage, shipment, or otherwise, or who is in the employment of any person or corporation owning or operating a grain elevator or warehouse, or who the licensed inspector knows or has reason to believe is incompetent.

(Sec. 8, 39 Stat. 485; 7 U. S. C. 84)

The foregoing amendments shall become effective on the first day of January 1956.

Done at Washington, D. C., this 7th day of November, 1955.

[SEAL] FRANK E. BLOOD,
Acting Deputy Administrator
Agricultural Marketing Service.

[F. R. Doc. 55-9064; Filed, Nov. 9, 1955; 8:47 a. m.]

#### Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Navel Orange Reg. 59]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

#### LIMITATION OF HANDLING

§ 914.359 Navel Orange Regulation 59—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914: 19 F R. 2941) regulating the handling of Navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REG-ISTER (60 Stat. 237 · 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Navel Orange Administrative Committee held an open meeting on November 3, 1955, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded

an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) Order (1) During the period beginning at 12:01 a. m., P. s. t., November 14, 1955, and ending at 12:01 a. m., P. s. t., June 3, 1956, no handler shall handle any Navel oranges, grown in District 1, in District 3, or in District 4 which are of a size smaller than 2.31 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit: Provided, That not to exceed 5 percent, by count, of the oranges contained in any type of container may measure smaller than 2.31 inches in diameter.

(2) As used in this section, "handle," "handler," "District 1," "District 3," and "District 4," shall have the same meaning as when used in said amended order. (Sec. 5, 49 Stat. 753, as amended; 7 U. S. C.

Dated: November 7, 1955.

[SEAL] S. R. SMITH,

Director Fruit and Vegetable

Division, Agricultural Marketing Service.

[F. R. Doc. 55-9112; Filed, Nov. 9, 1955; 8:57 a. m.]

### PART 1066—IRISH POTATOES RESTRICTION ON IMPORTATION

§ 1066.8 Potato Regulation No. 2-(a) Findings and determinations—(1) Findings. (i) Notice of rule making regarding proposed restrictions on the importation of Irish potatoes into the United States, to be made effective under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq., 68 Stat. 906, 1047) was published in the Federal Register October 22, 1955, (20 F R. 7966) After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, and the data, views, and arguments submitted by interested parties, it is hereby found that the restrictions on the importation of Irish potatoes into the United States, as hereinafter provided are in accordance with said section 8e.

(ii) It is hereby found that it is impracticable and contrary to the public interest to postpone the effective date

of this section beyond that herein specified (5 U.S. C. 1001 et seq.) in that (a) the requirements established by this import regulation are issued pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended, (48 Stat. 31, as amended; 7 U.S. C. 601 et seq., 68 Stat. 906, 1047), which makes such regulation mandatory; (b) grade, size, and quality regulations are now in effect on domestic shipments of potatoes under § 970.302 of this chapter (20 F R. 6815, 8091) and § 957.313 of this chapter (20 F R. 4794, 5807, 6075, 6729, (c) the General Regulations 7325) (Part 1060 of this chapter) relating to prohibition of imported commodities were published in the FEDERAL REGISTER on November 30, 1954 (19 F R. 7707, 8012) (d) notice that this action was being considered to become effective November 14, 1955, was published in the FEDERAL REGISTER on October 22, 1955 (20 F R. 7966) (e) compliance with this section will not require any special preparation by importers which cannot be completed by the effective date; (f) notice hereof in excess of three days, the minimum that is prescribed by said section 8e, is given with respect to this section; and (g) such notice is hereby determined, under the circumstances, to be reasonable.

(2) Determinations with respect to imports of Irish potatoes. (i) Pursuant to section 8e of the Agricultural Adjustment Act of 1933, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq., 68 Stat. 906, 1047), it is hereby determined that during the effective time hereof imports of Irish potatoes of the long varieties are in most direct competition with such varieties of Irish potatoes which are grown in the production area defined in Order No. 57 (Part 957 of this chapter designated counties in Idaho and Malheur County, Oregon) and imports of Irish potatoes of the round white or red skin varieties are in most direct competition with such varieties of Irish potatoes which are grown in the production area defined in Order No. 70 (Part 970 of this chapter; the State of Maine)

(ii) It is hereby further determined that the grade, size, and quality regulations hereby established for the respective varieties of Irish potatoes that may be imported into the United States are equivalent or comparable to those imposed upon domestic Irish potatoes under the aforesaid marketing orders.

(b) Import restrictions. During the period from November 14, 1955, to June 30, 1956, both dates inclusive, and subject to the General Regulations (Part 1060 of this chapter) applicable to the importation of listed commodities and the requirements of this section, no person shall import any Irish potatoes of any variety, other than certified seed potatoes, unless at least 90 percent of such potatoes are "fairly clean" and (1) if they are of the round white or red skin varieties, such potatoes meet the requirements of the U. S. No. 1 or better grade, 2½ inches minimum diameter and 4 inches maximum diameter, and (2) if they are of the long white varieties (in-

cluding, but not limited to, Russet Burbank variety) such potatoes meet the requirements of the U.S. No. 2 or better grade, Size A, 5 ounces minimum weight, except that potatoes of such long white varieties not less than 2 inches minimum diameter or 4 ounces minimum weight. Size A, may be imported if they meet the requirements of the U.S. No. 1 or better grade.

(c) Minimum quantities. Any importation which, in the aggregate, does not exceed 500 pounds, may be imported. without regard to the provisions of paragraph (b) of this section.

(d) Plant quarantine. No provisions of this section shall supersede the restrictions or prohibitions on potatoes under the Plant Quarantine Act of 1912.

(e) Certified seed imports. Any person may import certified seed potatoes, which shall include only those potatoes which are officially certified and tagged as seed potatoes by the Plant Protection Division, Science Service, Canada Department of Agriculture.

(f) Designation of Governmental Inspection Service. The Fruit and Vegetable Inspection Services, Fruit and Vegetable Division, Marketing Service, Canada Department of Agriculture, is hereby designated, pursuant to § 1060.4 (a) of this chapter, as a governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of Irish potatoes that are imported, or to be imported, from Canada into the United States under the provisions of section 8e of the act.

(g) Inspection and official inspection certificates. (1) Inspection by the Federal or Federal-State Inspection Service, by the Fruit and Vegetable Inspection Services, Fruit and Vegetable Division. Marketing Service, Canada Department of Agriculture, or by such other governmental inspection-service as may be designated, or approved, by the Administrator, with appropriate evidence thereof in the form of an official inspection certificate issued by the respective service and applicable to a particular shipment of potatoes, is required on all imports of potatoes, other than certified seed, pursuant to § 1060.3 of this chapter (Eligible imports)

(2) Inspection certificates shall cover only the quantity of potatoes that is being imported at a particular port of

entry by a particular importer.
(3) The inspections performed, and certificates issued, by the Federal or Federal-State Inspection Services shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title; 20 F. R. 4842) The cost of inspection and certification shall be borne by the applicant therefor.

(4) Each inspection certificate issued with respect to any Irish potatoes to be imported into the United States shall set forth, among other things:

- (i) The date and place of inspection; (ii) The name of the shipper, or
- applicant;
- (iii) The name of the importer (consignee)
  - (iv) The commodity inspected;

(v) The quantity of the commodity covered by the certificate;

(vi) The principal identifying marks on the containers;

(vii) The railroad car initials and number, the truck and trailer license number, the name of the vessel, or other identification of the shipment; and

(viii) The following statement, if the facts warrant: Meets V. S. Import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937.

(h) Definitions. (1) The terms "U.S. No. 1" "U.S. No. 2" "fairly clean," and "Size A" mean the U.S. No. 1 grade, the U. S. No. 2 grade, fairly clean, and Size A, respectively, as set forth in the United States Standards for Potatoes (§§ 51.1540 to 51.1559, inclusive, of this title) including the tolerances set forth therein. For the purposes of this section, the following United States Potato Standards and Canadian potato standards are determined to be equivalent; U.S. No. 1 grade and Canada No. 1 grade; U. S. No. 2 grade and Canada No. 2 grade.

(2) All other terms have the same meaning as when used in the General Regulations (Part 1060 of this chapter) applicable to the importation of listed

commodities.

Dated: November 7, 1955.

S. R. SMITH. Director

Fruit and Vegetable Division.

[F. R. Doc. 55-9116; Filed, Nov. 9, 1955; 8:58 a. m.]

#### TITLE 30—MINERAL RESOURCES

Chapter I—Bureau of Mines, Department of the Interior

Subchapter E-Mechanical Equipment for Mines; Tests for Permissibility; Fees

[Bureau of Mines Schedule 28]

PART 34-FIRE-RESISTANT CONVEYOR BELTS

There was published in the FEDERAL REGISTER of September 1, 1955 (20 F. R. 6475), a notice and text of proposed regulations amending the title of Subchapter E of Title 30, Code of Federal Regulations and prescribing requirements governing investigations leading to acceptability of Fire-Resistant Conveyor Belts. After consideration of all relevant material presented pursuant to the notice, the regulations as published in the FEDERAL REGISTER of September 1, 1955, and as corrected in the Federal Register of October 26, 1955 (20 F. R. 8050) are hereby adopted without change.

F. E. WORMSER Assistant Secretary of the Interior.

NOVEMBER 4, 1955.

Sec. 34.1 Definitions. 34.2 Scope of this part. Preliminary consultation.
Application, fee, and cample. 34.3 34.4 Fees for testing conveyor belts. Termination of investigation; disposal of fee and material.

34.7 Date of tests.

Observers at formal investigations and 34.8 demonstrations.

Sec. 34.9 34.10 Types of tests.

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Changing details of tests. Notification of acceptance or rejec-34.13

tion. 34.14 Acceptance markings.

34.15 Manufacturer's obligation.

34.16 Changes subsequent to acceptance.

Withdrawal of acceptance. 34.17

AUTHORITY: §§ 34.1 to 34.17 issued under cec. 5, 36 Stat. 370, as amended; 30 U.S. C. cec. 7. Interpret or apply secs. 2, 3, Stat. 370, as amended, 30 U.S. C. 3, 5.

§ 34.1 Definitions—(a) Fire-resistant conveyor belt. A conveyor belt that is identical in all respects to the sample of the conveyor belt designated as accept-

able under this part.
(b) Sample. That portion of a conveyor belt submitted to the Bureau by a manufacturer for acceptance testing.

(c) Specimen. A specific portion of a sample prepared for testing purposes.

(d) Acceptance. Written official notification by the Bureau of Mines that a conveyor belt has met satisfactorily the requirements of this part.

(e) Acceptance marking. An identifying mark indicating that the conveyor belt has been accepted for listing by the Bureau of Mines as fire-resistant.

§ 34.2 Scope of this part. The regulations in this part define the fireresistant properties, methods of testing to determine such properties, the manner in which samples should be submitted and specimens prepared for tests, and the manufacturer's identification and markings to denote acceptance when the results of tests are satisfactory. Other requirements, such as strength, resistance to wear, and flexibility, are not covered by the regulations in this

§ 34.3 Preliminary consultation. Manufacturers or their representatives may visit or communicate with the Central Experiment Station, Bureau of Mines, 4800 Forbes Street, Pittsburgh 13. Pennsylvania, to discuss the requirements or regulations in this part in connection with a belt to be submitted for test. No charge is made for such consultation, and no formal report will be submitted to the manufacturer.

§ 34.4 Application, fee, and sample. (a) An application for investigation under this part shall be in duplicate, addressed to the Central Experiment Station, Bureau of Mines, 4800 Forbes Street, Pittsburgh 13, Pennsylvania, and shall include:

(1) Description and specifications of the conveyor belt, which may be supplemented by descriptive literature. Specifications shall include: Trade name of the conveyor belt; thickness of covers: designation of the compounds used in the manufacture of the covers, friction, and skim coats; number of plies; type and weight of ply materials; a designation of breaker strip or floated ply- and any other features deemed significant by the applicant.

(2) A statement that the conveyor belt is completely developed and ready for market.

(3) A statement that the conveyor belt has been subjected to a flame test, the nature of the test, and results obtained.

(4) A request that the necessary tests leading to acceptance be made.

(b) Each application shall be accompanied by a check, draft, or money order, payable to the United States Bureau of Mines, to cover the cost of tests (see § 34.5)

(c) Two samples of the conveyor belt to be tested, each 6-feet long by 9-inches wide and having open edges, shall be delivered without charge to the Central Experiment Station, Bureau of Mines, 4800 Forbes Street, Pittsburgh 13, Pennsylvania. A conveyor belt will not be accepted for testing under this part unless the samples submitted are constructed in the form in which the belt is to be marketed. On receipt of this application, fee, and samples to be tested, the Bureau will act on the application.

§ 34.5 Fees for testing conveyor belts.

\$15.00 1. Flame test\_\_\_\_ 2. Drum-friction test\_\_\_\_\_

3. Fees for other tests will be based on the actual cost of testing, as determined by the Bureau, in which case the applicant will be notified and the fees paid before the tests are initiated.

§ 34.6 Termination of investigation, disposal of fee and material. Upon request by an applicant that the Bureau terminate its investigation of the conveyor belt, the Bureau will terminate the investigation, and will return to the applicant the fees paid by him, less such portion thereof as the Bureau determines is applicable to the testing already done. The Bureau of Mines may retain as its own property any or all material submitted by the applicant that may be required for record. Any material remaining after termination of tests and not required for record will be available to the applicant and will be returned at his expense on shipping instructions made in writing to the Central Experiment Station, Bureau of Mines, 4800 Forbes Street, Pittsburgh 13, Pennsylvania.

§ 34.7 Date of tests. Tests will be made in the order in which samples are received by the Bureau after applications have been filed and accepted; however, not more than three belts will be tested consecutively for any one manufacturer, if applications are on file from other manufacturers. The applicant will be notified of the date on which tests will be started. If a conveyor belt fails to meet any of the requirements set forth in this part, it shall lose its order of test precedence. Tests will be made on resubmitted samples following completion of other test work which is in progress at the time both the request and the materials for retesting are received. Exceptions to the provisions of this section may be made only for minor tests that may be performed simultaneously with other work in the laboratory.

§ 34.8 Observers at formal investigations and demonstrations. No one shall be present during any part of the formal investigation conducted by the Bureau which leads to acceptability except the

necessary Government personnel, representatives of the applicant, and such other persons as may be mutually agreed upon by the applicant and the Bureau. Upon accepting a conveyor belt for listing as fire-resistant, the Bureau will announce that such acceptability has been granted and may thereafter conduct from time to time in its discretion public demonstrations of the tests conducted on the accepted conveyor belt. Those who attend any part of the investigation, or any public demonstration, shall be present solely as observers; the conduct of the investigation and of any public demonstration shall be controlled wholly by the Bureau's personnel. Results of chemical analyses of material and all information contained in the drawings, specifications, and instructions shall be deemed confidential and their disclosure will be appropriately safeguarded by the

§ 34.9 Types of tests. To obtain acceptance under this part a conveyor belt must pass test 1 (Flame Test) and, when in the opinion of the Bureau it is required, test 2 (Drum-Friction Test)

§ 34.10 Flame test—(a) Size of test specimens. Specimens of conveyor belts 6 inches long by 1/2 inch wide by belt thickness shall be cut by Bureau test personnel from the belt sample submitted for testing to provide four test specimens, two of which will be cut parallel to the warp and two of which will be cut parallel to the weft.

(b) Flame-test apparatus. The principal parts of the apparatus within and appended to the 21-inch cubical test gallery are:

(1) A support stand with a ring clamp and wire gauze.

(2) A Pittsburgh-Jniversal Bunsentype burner (inside diameter of burner tube 11 mm.) or equivalent, mounted in a burner placement guide in such a manner that the burner may be placed beneath the test specimen, or pulled away from it by an external knob on the front panel of the test gallery.

(3) A variable speed electric fan and an ASME flow nozzle (16-81/2 inches reduction) to attain constant air velocities at any speed between 50-500 feet a minute.

(4) An electric timer or hand-operated stopwatch to measure the duration of the tests.

(5) A mirror mounted inside the test gallery to permit the test specimen to be viewed from the back through the viewing door.

(c) Preparation of test specimen. The specimen shall be clamped in a support with its longitudinal axis horizontal and its transverse axis inclined at 45° to the horizontal. Under the test specimen shall be clamped a piece of 20-mesh ironwire gauze, 5 inches square, in a horizontal position 1/4 inch below the pulley cover edge of the specimen and with about ½ inch of the specimen extending beyond the edge of the gauze.

(d) Procedure for flame test. The procedure for flame tests on conveyor belting is as follows:

(1) The support stand, with the test specimen mounted as described above,

shall be positioned in the burner placement guide within the flame-test gallery.

(2) The Bunsen burner shall be adjusted to give a blue flame 3 inches in height having a temperature of 1350°± 50° F (732°±28° C.) when measured by means of a 20 B & S (Brown and Sharpe) gauge, iron-constantan thermocouple, centered in the flame at a point 1 inch above the top of the burner.

(3) The test specimen shall be inserted into the flame at a distance 1 inch

above the top of the burner.

(4) The free end of the specimen shall be centered in the flame.

(5) The observation door of the gallery shall be closed for the entire test.

(6) The burner flame shall be applied to the test specimen for 1 minute in still

(7) At the end of one minute, the burner flame shall be removed, the ventilating fan turned on to give an air current having a velocity of 300 feet per minute, and the duration of flame measured.

(8) After the test specimen ceases to flame, it shall remain in the air current for at least 3 minutes to determine the presence and duration of afterglow. If a glowing specimen bursts into flame within 3 minutes, the duration of flame shall be added to the duration of flame in subparagraph (7) of this paragraph.

(9) The tests of the four specimens cut from any sample shall not result in either duration of flame exceeding an average of 1 minute after removal of the applied flame or afterglow exceeding an average of 3 minutes' duration.

Drum-friction test. This § 34.11 test shall be applied only to samples which pass the flame test.

(a) Size of test specimen. A test specimen 5 feet long by 9 inches wide shall be cut from one of the two samples of conveyor belting submitted.

(b) Drum-friction test apparatus. The essential parts of the drum-friction test apparatus are:

- (1) A suitable clamp for securing the fixed end of belt sample in test position and an adjustable weight clamp for the free end.
- (2) Means for measuring accurately the temperature at specified points of the belt sample under test.

(3) Electric drive motor of at least 15

horsepower.

- (4) Positive drive to maintain drum speed of 110±10 r. p. m.
- (5) Drive pulley of at least 18 inches in diameter.
- (6) Where drive pulleys in excess of 13 inches in width are used, insulation shall be provided for the portion of the face in excess of 13 inches and the ends of the drum to reduce heat loss. The test specimen shall cover approximately 180° of the exposed drum surface in test position.
- (7) Scales, to be installed in the fixed clamp when tension measurement is desired.
- (8) Multiple jets of compressed air, issuing from 1/16-inch-diameter holes on 1/2-inch centers along the top of a 1/2inch pipe of the same length as the drum, to maintain an air velocity of 300 feet per munute at the surface of the drum.

- (c) Preparation of test specimen. Two steel clamps, 12 inches long by 2 inches wide by 1/2 inch thick, shall be bolted onto the specimen approximately 1 inch from each end. One clamp, called the fixed clamp, is fitted with a chain and hook arrangement, while the other clamp, called the weight clamp, contains two rods to which weight bars may be attached. At three points along the specimen from the fixed clamp, 1/8-inch holes shall be drilled into the edge of the belt to provide openings for thermocouples with which to measure belt temperatures. Two of these holes shall be at the point of tangency when the specimen is lapped over the conveyor driving drum, and the third shall be placed halfway between these points. The holes shall be drilled to a depth of 2 inches between the first and second ply from the pulley cover, or a similar position in case of solid woven belts. The specimen shall be placed over the conveyor driving drum; the hook fastened to a steel I-beam or other rigid support, secured to the floor beneath the drum; thermocouples inserted into the holes in the side of the belt; an additional thermocouple shall be inserted in the center of the carrying cover of the belt at a point midway between the thermocouples at the points of tangency and the proper weights adjusted at the weight clamp.
- (d) Procedure for drum-friction test. The procedure for the drum-friction test is as follows:
- (1) During the entire test a current of air having a velocity of 300 feet per minute shall be maintained at the drum and belt.
- (2) With the specimen in the position described heretofore, the drum shall be revolved for a period of 120 minutes.
- (3) Weights shall be attached to the weight clamp at the following time intervals:

Duration of test (cumulative)	Weight added (pounds)	Total weight on belt (pounds)
First 15 minutes	ងនានងនងន	50 75 100 130 165 200 235 270

- (4) Temperature readings shall be recorded at intervals of not more than 10 minutes throughout the test.
- (5) A specimen that is destroyed during the test without signs of flame or glow, or that does not develop a temperature of 482° F. (250° C.) at any thermocouple during the 2-hour period, shall be considered fire-resistant.
- (6) A specimen shall not be considered fire-resistant if any flame appears on the belt during a test.
- (7) When glow is evident at the conclusion of a test, the glowing specimen shall be subjected to an air stream for 3 minutes. If the specimen bursts into flame within this time, or continues to glow beyond this time, it shall not be considered fire-resistant.
- Changing details of tests. The Bureau may modify the details of

the tests prescribed by these regulations provided that the information obtained and the degree of safety are not substantially affected. The applicant will be notified of any changes that the Bureau deems advisable.

- § 34.13 Notification of acceptance or (a) After the Bureau has resection. considered the results of the tests, a formal written notification of acceptance or rejection of the conveyor belt for listing will be supplied to the applicant by the Bureau. If the conveyor belt meets all requirements of this part, the notification will not be accompanied by test data or detailed results of tests. If the conveyor belt fails to meet any of the requirements of this part, the notification will be accompanied by details of the failure, with a view to possible remedy of the defect or defects in conveyor belts submitted in the future. Except for such notification to the applicant, results of tests of conveyor belts that fail to meet the requirements will not be made public by the Bureau.
- (b) The Bureau will not give verbal reports concerning the investigations, or conduct informal tests, or grant informal acceptances.
- § 34.14 Acceptance markings. With formal notification of acceptance, the applicant will receive written permission to designate, as "fire-resistant," con-veyor belts of the same type and composition as the specimen that pasced the
- (a) Marking. Conveyor belts accepted by the Bureau of Mines as fireresistant shall be marked as follows: Metal stencils furnished by the manufacturer shall be used during the vulcanizing process to produce letters depressed into the conveyor belt with the words Fire-Resistant, U. S. B. M. No. This number will be assigned to the manufacturer after the sample has passed the tests. The letters and numbers shall be at least ½ inch high.
- (b) Position of markings. The acceptance markings shall be placed approximately 1 inch from the edge of the carrying (top) cover of the conveyor belt and spaced at intervals not exceeding 30 feet for the entire length of the conveyor belt. The markings shall be so placed that they are alternately at opposite edges of the belt.
- § 34.15 Manufacturer's obligation. manufacturer who has obtained the Bureau's permission to place acceptance markings on conveyor belts manufactured by him is obligated to maintain the fire-resistant quality of his product and to have each conveyor belt so marked manufactured strictly according to the records that have been accepted and placed on file by the Bureau for that conveyor belt. Conveyor belts that have been accepted as fire-resistant by the Bureau of Mines but subsequently have been altered in design or composition without Bureau authorization, and belts that have not been accepted a fireresistant by the Bureau of Mines, must not bear the Bureau's acceptance mark-

§ 34.16 Changes subsequent to accept-

Bureau's authorization for modifying the specifications of a conveyor belt that has been tested and accepted, by letter to the Central Experiment Station, Bureau of Mines, 4800 Forbes Street, Pittsburgh 13, Pennsylvania, requesting an extension of the original acceptance and stating the change or changes desired. The letter shall be accompanied by revised specifications showing the proposed changes in detail. If the Bureau determines that tests are unnecessary, the Bureau will formally advise the manufacturer of the acceptance or rejection of the proposed change. If the Bureau determines that tests are necessary, the Bureau will advise the manufacturer as to the fee and maternal required.

8 34.17 Withdrawal of acceptance. The Bureau may rescind for cause, at any time, any acceptance granted under the regulations in this part.

[F. R. Dzc. 55-9059; Filed, Nov. 9, 1955; 8:46 a. m.]

#### TITLE 6-AGRICULTURAL CREDIT

#### Chapter I—Farm Credit Administration

Subchapter F—Banks for Cooperatives [FCA Order 637]

PART 70-LOAN INTEREST RATES AND SECURITY

INCREASE IN INTEREST RATES; NEW OFLEANS BANK FOR COOPERATIVES

Effective December 1, 1955, the rate of interest which may be charged by the New Orleans Bank for Cooperatives, as specified in § 70.4 of Chapter I, Title 6, Code of Federal Regulations, is hereby changed to 31/2 per centum per annum.

Effective December 1, 1955, the rate of interest which may be charged by the New Orleans Bank for Cooperatives, as specified in § 70.5 of Chapter I, Title 6, Code of Federal Regulations, is hereby changed to 3 per centum per annum.

(Ecc. 8, 46 Stat. 14, 12 U.S. C. 1141f)

[SEAL]

R. B. TOOTELL. Governor.

Farm Credit Administration.

[P. R. Doc. 55-6070; Filed, Nov. 9, 1955; 8:48 a. m.]

[FCA Order 638]

PART 70-LOAN INTEREST RATES AND SECURITY

INCREASE IN INTEREST RATES; EALTHIORE DAINE FOR COOPERATIVES

Effective December 1, 1955, the rate of interest which may be charged by the Baltimore Bank for Cooperatives as specified in § 70.4 of Chapter I, Title 6, Code of Federal Regulations, is hereby changed to 31/2 per centum per annum.

Effective December 1, 1955, the rate of interest which may be charged by the Baltimore Bank for Cooperatives as specance. The manufacturer may obtain the lifted in § 70.5 of Chapter I, Title 6, Code of Federal Regulations, is hereby changed to 3 per centum per annum. (Sec. 8, 46 Stat. 14, 12 U. S. C. 1141f)

[SEAL]

R. B. TOOTELL, Governor

Farm Credit Administration.

[F R. Doc. 55-9069; Filed, Nov. 9, 1955; 8:48 a. m.]

# Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1955 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 1, Flaxseed]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—1955-CROP FLAXSEED LOAN AND PURCHASE AGREEMENT PROGRAM

#### CAMPBELL COUNTY, WYOMING

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 20 F R. 3601, and containing the specific requirements for the 1955-Crop Flaxseed Price Support Program are amended as follows:

Section 421.1483 (c) (1) is amended by adding to the list of basic county support rates, "Wyoming—Campbell county, \$2.61 per bushel."

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C., 714b. Interprets or applies sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1054; 15 U. S. C. 714c, 7 U. S. C. 1447, 1421)

Issued this 7th day of November 1955.

[SEAL] EARL M. Hughes,

Executive Vice President,

Commodity Credit Corporation.

[F. R. Doc. 55-9113; Filed, Nov. 9, 1955; 8:57 a. m.]

#### PART 464-TOBACCO

SUBPART-1955 TOBACCO LOAN PROGRAM

Set forth below are schedules of advance rates, by grades, for the 1955 crop of unsorted and sorted type 51 and unsorted type 52 tobacco under the tobacco loan program formulated by Commodity Credit Corporation and Commodity Stabilization Service, published May 20, 1955 (20 F R. 3525)

§ 464.714 1955 crop; Connecticut Valley Broadleaf Tobacco, Type 51, advance schedule.

The Cooperative Association through which price support is made available is authorized to deduct from the amount paid the grower not more than the larger of \$1.00 per hundred pounds or \$10.00 per consignment to apply against receiving and overhead costs. The advance rate on any lot of to-bacco graded BIM through B7M and marked with the special factor "Moist" or "Damp" will be supported at the advance rate minus \$5.00 or \$9.00, respectively. Grades BIM through R3 containing damaged leaves will be marked with the special factor symbol D followed by the percentage of damaged leaves. The weight of the damaged leaves will be deducted and the advance will be

#### UNSORTED

[Dollars per hundred pounds, farm weight]	sales
Grade Ad	vance
Binders:	ate
B1M	67
B2M	65
B3M	62
B4M	58
B5M	53
B6M	47
B7M	42
Binder pickers:	
R1	36
R2	31
R3	24
Nonbinders:	2.1
X1	22
X2	20
X3	18
X1DAM	20
X2DAM	18
X3DAM	
47A-17717 *=================================	16

#### SORTED\*

[Dollars per hundred pounds, farm sales weight]

	dvance
Grade	Rate
DIL 90	_ 112
B1F 37	112
B2F 38	_ 103
B2F 37	103
B2F 36	_ 95
B2F 35	- 75
B3F 38	98
B3F 37	_ 98
B3F 36	_ 93
B3F 35	. 72
B3F 34	_ 55
B4F 38	_ 92
B4F 37	92
B4F 36	_ 86
B4F 35	_ 66
B4F 34	_ 50
B5F 37	<b>-</b> 75
B5F 36	_ 70
B5F 35	. 56 <sup>-</sup>
B5F 34	43
B6F 37	. 70
B6F 36	_ 65
B6F 35	. 48
B6F 34	_ 35
B7F 37	. 62
B7F 36	- 53
B7F 35	. 40
B7F 34	. 30
B1P 38	95
B1P 37	
B2P 38	_ 90
B2P 37	_ 90
B3P 38	. 70
B3P 37	. 70
B3P 36	. 40
B3P 35	. 30
B4P 38	
B4P 37	

\*The Cooperative Association through which price support is made available is authorized to deduct from the amount paid to growers not to exceed \$1.50 per hundred pounds to apply against receiving and overhead costs to the Association of the loan operation. Only the original producer is eligible to receive advances. A producer may obtain advances on sorted Broadleaf only if all eligible grades of tobacco produced in the sorting process are included in the consignment. No advance is authorized for tobacco graded W (unsafe keeping order), U (unsound), or N (nondescript). Tobacco graded Y1 DAM or Y2 DAM will be accepted at an advance rate of two cents per pound below the regular grade advance rate.

made only on the weight of sound or undamaged tobacco. Only the original producer is eligible to receive advances. No advance is authorized for tobacco graded W (doubtful keeping order), U (unsound), or N (nondescript).

#### SORTED\*-Continued

Adminara

	auvanco
Grade	Rate
B4P 36	_ 35
B4P 35	_ 25
B5P 38	56
B5P 37	_ 56
B5P 36	
B5P 35	
B6P 37	
B6P 36	
B6P 35	
B6P 34	
B7P 37	
B7P 36	
B7P 35	
B7P 34	
B5Z	
B6Z	
B7Z	
R3P	
Y1	:
¥2	_ 16

§ 464.715 1955 crop; Connecticut Valley Havana Seed Tobacco, Type 52, advance schedule.

#### UNSORTED

[Dollars per hundred pounds, farm sales weight]

Grade		vance
Binders:		ato
B1M		64
B2M		61
B3M		68
B4M		63
		49
		44
		40
Binder pickers:		
R1		33
		27
		23
Nonbinders:		
X1		22
		20
		18
		20
X2DAM		18
		16
	4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	

(Sec. 4, 62 Stat. 1070, as amonded; 15 U. S. O. 714b. Interpret or apply sec. 5, 62 Stat. 1073, secs. 101, 401, 63 Stat. 1051, as amonded, 1054; 15 U. S. C. 714c, 7 U. S. C. 1441, 1421)

Issued this 7th day of November 1955.

[SEAL] EARL M. Hughes,

Executive Vice President,

Commodity Credit Corporation.

[F. R. Doc. 55-9114; Filed, Nov. 9, 1955; 8:57 a. m.]

# TITLE 36—PARKS, FORESTS, AND MEMORIALS

#### Chapter II—Forest Service, Department of Agriculture

PART 251-LAND USES

WILDERNESS AREAS

By virtue of the authority vested in the Secretary of Agriculture paragraphs (a) (b), and (c) of § 251.20 (Reg. U-1) of the rules and regulations governing the occupancy, use, protection, and admunistration of the national forests are hereby amended as follows:

1. The proviso of paragraph (a) of \$251.20 is amended to read as follows: "Provided, That roads over national forest lands, reserved from the public domain and necessary for ingress and egress to or from privately owned property shall be allowed under appropriate conditions determined by the forest

supervisor, and upon allowance of such roads the boundary of the wilderness area may be modified without prior notice or public hearing to exclude the portion affected by the roads."

2. Paragraphs (b) and (c) of § 251.20 are amended to read as follows:

(b) Grazing of domestic livestock, development of water storage projects which do not involve road construction, and improvements necessary for the protection of the forest may be permitted subject to such restrictions as the Chief deems desirable. Within such designated wildernesses when the use is for other than administrative needs and emergencies the landing of airplanes and the use of motorboats are prohibited on national forest land or water unless such use by airplanes or motorboats has already become well established and the use of motor vehicles is prohibited unless the use is in accordance with a statutory right of ingress and egress.

(c) Wilderness areas will not be modified or eliminated except by order of the Secretary. Except as provided in paragraph (a) of this section notice of every proposed establishment, modification, or elimination will be published or publicly posted by the Forest Service for a period of at least 90 days prior to the approval of the contemplated order and if there is any demand for a public hearing, the regional forester shall hold such hearing and make full report thereon to the Chief of the Forest Service, who will submit it with his recommendations to the Secretary.

(Sec. 1, 30 Stat. 35, as amended, 16 U. S. C. 251. Interprets or applies Sec. 1, 33 Stat. 628, 16 U. S. C. 472)

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the city of Washington, D. C., this 4th day of November 1955.

[SEAL] E. L. PETERSON,
Assistant Secretary of Agriculture.

[F. R. Doc. 55-9065; Filed, Nov. 9, 1955; - 8:47 a.m.]

## TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

#### Chapter I—Veterans Administration

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

EFFECTIVE DATE OF CHANGE OR DISCONTINU-ANCE OF EDUCATION OR TRAINING ALLOW-ANCE

In § 21.2056, paragraph (a) (6) is amended to read as follows:

§ 21.2056 Effective date of change or discontinuance of education or training allowance. (a) \* \* \*

(6) In the event veteran applies for an additional education or training allowance because of a dependent or dependents after original entrance into training under the law, such additional allowance will be authorized as of the date of change or the date of entrance into training, whichever is later, if application therefor is received in the Veterans

Administration within 60 days from that date and satisfactory evidence of such dependent or dependents is received in the Veterans Administration within 1 year of the date of request therefor. Where the change occurred during a period of interruption of training, such additional allowance will be authorized from the date of reentrance if application therefor is received in the Veterans Administration within 60 days from the date of reentrance and satisfactory evidence of dependency is received within the 1-year time limitation. In any case where such application is received after the 60-day time limitation provided in this subparagraph, additional education and training allowance will be authorized from date of receipt of application, provided satisfactory evidence of the dependent or dependents is received within the 1-year time limitation.

(Sec. 2, 46 Stat. 1016, cec. 7, 48 Stat. 9, cec. 2, 57 Stat. 43, as amended, cec. 400, 58 Stat. 287, as amended; 38 U. S. C. 11a, 701, 707, ch. 12A. Interprets or applies cecs. 3, 4, 57 Stat. 43, as amended, secs. 300, 1009-1004, 1506, 1507, 58 Stat. 286, 300, as amended, cec. 261, 66 Stat. 663; 38 U. S. C. 633g, 637-637d, 697f, g, 971, ch. 12A)

This regulation is effective November 10, 1955.

[SEAL] J. C. PALMER,
Assistant Deputy Administrator.

[F. R. Doc. 55-9128; Flied Nov. 9, 1925; 8:58 a. m.]

### TITLE 43—PUBLIC LANDS:

Chapter I—Bureau of Land Management, Department of the Interior

> Appendix—Public Land Orders [Public Land Order 1245] [Anchorage 024227]

[Misc. 1796532]

#### ALASKA

PARTIALLY REVOKING EXECUTIVE ORDERS NO. 8344 OF FEBRUARY 10, 1940 AND NO. 8769 OF JUNE 14, 1941, WITHDRAWNIG FORTIONS OF RELEASED LANDS FOR USE OF UNITED STATES COAST GUARD AS A LORAN STATION

By virtue of the authority vested in the President by Section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S. C. 141) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Executive Order No. 8344 of February 10, 1940, temporarily withdrawing certain lands in Alaska for classification and in aid of legislation, is hereby revoked so far as it affects the following-described area.

#### KODIAK ISLAND

U. S. Survey No. 3233.

The area described contains 23.53 acres.

2. Executive Order No. 8789 of June 14, 1941, reserving certain lands for use of the War Department for military purposes, is hereby revoked so far as it affects the following-described lands:

MILLIE FORTE, STEWER CAPE AREA
HORIAN ICLAID, ALASKA

Eczinning at a point on line of mean high tide on the east cide of Kodiak Island, 57°48'30" N., latitude, 152°20'42" W., longttude, as shown on United States Coast and Geodetic Survey Chart No. 8570, March 1910.

Thence from caid initial point, N. 45° W., 1.8 miles, to line of mean high tide on east chore of Sycamore Bay;

Thence northeasterly and southeasterly around Miller Point and Spruce Cape with meanders of Sycamore Bay, Popof Bay, and Chinial: Bay to the point of beginning.

The area described, including both public and non-public lands, aggregates 780 acres.

3. Subject to valid existing rights, the following-described lands, which are a portion of the lands described in paragraph 2 of this order, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and the mineral-leasing laws, and reserved for use of the United States Coast Guard as a loran station:

Beginning at corner No. 5, U. S. Survey No. 3101, on line 1-5, U. S. S. 1632, thence S. 69-49' E., 663.28 feet along line 5-6 U. S. S. 3101 to corner 6 MC thereof;

Northeasterly, northerly and southwesterly along line of mean high tide around Spruce Cape to corner 1 MG, U. S. S. 1632; South, 2377.42 feet along east boundary U. S. S. 1632 to point of beginning.

The tract described contains approximately 180 acres.

4. The status of the lands described in this order, except those withdrawn by paragraph 3, shall not change so far as applications, locations, settlement, entry or other forms of appropriation are concerned until further order of an authorized officer of the Bureau of Land Management.

WESLEY A. D'EWART,
Assistant Secretary of the Interior.

November 3, 1955.

[F. R. Dec. 55-0053; Filed, Nov. 9, 1955; 8:45 a.m.]

#### [Public Land Order 1246] [Micc. 183259]

#### SOUTH DAEGTA

REVOKING EXECUTIVE ORDER NO. 1432 OF NOVELBER 13, 1011, WHICH RESERVED PUBLIC LANDS FOR USE OF DEPARTMENT OF AGRICULTURE AS VALLEY ADMINISTRATIVE SITE

By virtue of the authority vested in the President by Section 1 of the act of June 25, 1910 (36 Stat. 847 · 43 U. S. C. 141) and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Executive Order No. 1432 of November 13, 1911, reserving the following-described lands in South Dakota for use of the Forest Service, Department of Agriculture, as the Valley Administrative Site, is hereby revoked:

BLACIT HILLS MEDIDIAN

T. 17 N., R. 2 E., Sec. 25, SW/4NE/4, S/2NW/4.

The areas described aggregate 120 acres.

No. 220-2

The land is grazing land located 1/2 mile north of Harding, South Dakota, and can be reached over a county gravel road. The topography is rolling to The soil consists of a shallow rough. layer of sandy loam over a rocky and highly calcareous sandy clay subsoil. Vegetation consists of short to mid-grasses. Annual precipitation is approximately 13 inches.

No application for the lands may be allowed under the homestead, desertland, small tract, or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

Subject to any existing rights and the requirements of applicable law, the lands described are hereby opened to filing of applications, selections, and locations in accordance with the follow-

a. The lands have been open to application and offers under the mineralleasing laws. Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims

mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert-Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27. 1944 (58 Stat. 747 43 U.S. C. 279-284 as amended) presented prior to 10:00 a.m. on December 9, 1955, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a.m. on March 10, 1956, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a.m. on March 10, 1956. will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands have been open to location for metalliferous minerals. They will be open to location for non-metalliferous minerals under the United States mining laws beginning at 10:00 a. m. on March 10, 1956.

Persons claiming veteran's preference rights under paragraph a (2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries regarding the lands shall be addressed to the Manager, Land Office. Bureau of Land Management, Billings,

Montana.

WESLEY A. D'EWART, Assistant Secretary of the Interior

NOVEMBER 3, 1955.

[F. R. Doc. 55-9054; Filed, Nov. 9, 1955; 8:45 a. m.]

#### [Public Land Order 1247] 11500537-15069781

#### NEW MEXICO

PARTIALLY REVOKING EXECUTIVE ORDERS NO. 6276 OF SEPTEMBER 8, 1933 AND NO. 6583 OF FEBRUARY 3, 1934 WHICH WITHDREW LANDS TO AID THE STATE IN MAKING EX-CHANGE SELECTIONS

By virtue of the authority vested in the President by the act of June 25, 1910, ch. 421 (36 Stat. 847 43 U.S. C. 141) and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Executive Orders No. 6276 of September 8, 1933 and No. 6583 of February 3, 1934, withdrawing public lands to aid the State of New Mexico in making exchange selections are hereby revoked so far as they affect the following-described lands:

In Executive Order No. 6276:

#### [1500537]

NEW MEXICO PRINCIPAL MERIDIAN

T. 21 S., R. 6 W., Sec. 19, lots 1 and 2, E1/2NW1/4 and SW1/4 NE¼,

Sec. 30, NW 4 SE 4, E 4 SW 4, Sec. 31, W 4 NE 4; SE 4 NE 4, E NE 4 SE 4. T. 21 S., R. 7 W., Sec. 13, lots 9 to 16, inclusive; E1/2NW1/4,

Sec. 24, lot 15; Sec. 25, lots 2, 7, 10, and 15.

In Executive Order No. 6583:

#### [1506978]

T. 21 S., R. 6 W., Sec. 18, lots 3 and 4, E½SW¼, Sec. 19, lot 3, NW¼NE¾, NW¼SE¼, Sec. 30, SE¼NE¼, NE½SE¼, Sec. 31, NE 4 NE 4.
T. 21 S., R. 7 W.,
Sec. 24, lots 1, 2, 7, and 8.

The areas described aggregate 1.728.08 acres for both orders.

The lands are generally grazing lands. No application for the lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land law unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

Subject to any existing valid rights and the requirements of applicable law, the lands are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public land laws and applications and offers under the mineral leasing laws may be presented to the Manager mentioned below, beginning on the date of this order: Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraph:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims

mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747. 43 U.S. C. 279-284 as amended), presented prior to 10:00 a. m. on December 10, 1955, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a.m. on March 10, 1956, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public land laws, other than those coming under paragraphs (1) and (2) above, and applications and offers under the mineral leasing laws, presented prior to 10:00 a. m. on March 10, 1956, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands are now open to location for metalliferous minerals. They will be open to location for non-metalliferous minerals under the United States mining laws beginning at 10:00 a.m. on March

10, 1956.

Persons claiming veterans preference rights under Paragraph a (2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands shall be addressed to the Manager, Land Office. Bureau of Land Management, Santa Fe. New Mexico.

Wesley A. D'EWART, Assistant Secretary of the Interior

NOVELIBER 4, 1955.

[F. R. Doc. 55-9055; Filed, Nov. 9, 1955; 8:46 a. m.1

> [Public Land Order 1248] [33331]

> > Alaska

AMENDING PUBLIC LAND ORDER NO. 1212 OF SEPTEMBER 9, 1955

Paragraph 4 (c) of Public Land Order No. 1212 of September 9, 1955, appearing as Doc. 55-7464 in 20 F. R. 6797 of the issue for September 15, 1955, is hereby amended to read as follows:

(c) At 10:00 a.m. on the 91st day after the date of this order, to settlement under the homestead laws or the Alaska Home Site Act of May 26, 1934 (48 Stat.

809; 48 U.S. C. 461) or to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S. C. 682a) as amended:

The unsurveyed public lands released from withdrawal by paragraph 1 of this order, and not otherwise rewithdrawn or restored.

Provided, however That the followingdescribed lands shall not be subject to application, location, settlement, entry, or other forms of appropriation under the public-land laws until further order of an authorized officer of the Bureau of Land Management:

SEWARD MERIDIAN

T. 2 N., R. 11 W., Secs. 5, 6, 7, and 8 (unsurveyed). T. 2 N., R. 12 W. Secs. 1, 11 and 12 (unsurveyed).

WESLEY A. D'EWART. Assistant Secretary of the Interior.

NOVEMBER 4, 1955.

[F. R. Doc. 55-9056; Filed, Nov. 9, 1955; 8:46 a. m.]

### PROPOSED RULE MAKING

#### DEPARTMENT OF COMMERCE

Federal Maritime Board and Maritime Administration

[ 46 CFR Ch. II ]

[Docket No. S-59]

AMERICAN PRESIDENT LINES, LTD. EXTENSION OF TIME LIMITATION

Notice of proposed rule making in connection with petition of American President Lines, Ltd., was published in the FEDERAL REGISTER ISSUE of October 26, 1955 (20 F. R. 8050)

Notice is hereby given that the time stipulated therein for submission of written data, views, or arguments relative thereto is hereby extended to January 15, 1956.

Dated: November 8, 1955.

By order of the Federal Maritime Board/Maritime Administrator.

[SEAL]

A. J. WILLIAMS. Secretary.

[F. R. Doc. 55-9125; Filed, Nov. 9, 1955; 8:58 a. m.1

#### DEPARTMENT OF LABOR

Wage and Hour Division I 29 CFR Part 779 I

AUTOMOTIVE TRADE

RETAIL OR SERVICE ESTABLISHMENT AND APPLICATION OF CERTAIN EXEMPTIONS

Pursuant to authority under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U.S.C. 201 et seq.) notice is hereby given that

the Administrator of the Wage and Hour Division of the United States Department of Labor, proposes to amend Interpretative Bulletin, Part 779 (29 CFR Part 779) by the addition of § 779.36 to read as follows:

Application of the 13 (a) § 779.36 (2) exemption to the automotive trade. (a) It is the purpose of this section to show generally how the principles governing the application of the section 13 (a) (2) exemption apply to establishments engaged in the sale of automobiles, trucks, parts, accessories and repair services.

(b) All sales of automobiles, trucks, automobile parts, accessories, servicing and repair work will be considered retail

except those set out below:

(1) Sales for resale: For example, sales for resale include sales to garages, service stations, repair shops and auto-mobile dealers where these establishments resell the various items or where they use them in repairing customers' vehicles or in reconditioning used cars for resale. However, this does not apply to transfers of such items between departments within the dealer's establishment. Thus, transfers of parts from the parts department to the service department of the automobile dealer's establishment are not sales to the service department and are not, therefore, sales for resale. Such transfers from one department to another will be disregarded in computing the establishment's sales for determining the applicability of the 13 (a) (2) exemption. So also accommodation transfers of automobiles between dealers will be disregarded in computing the establishment's sales under section 13 (a) (2). Accommodation transfers

refer to occasional exchanges or transfers of automobiles between dealers and not to situations wherein a dealer supplies cars to other dealers as part of what may be described as a distribution system.

(2) Sales made pursuant to a formal invitation to bid. Such sales are made under a procedure involving the issuance by the buyer of a formal invitation to bld on certain merchandise for delivery in accordance with prescribed terms and specifications. Sales to the Federal, state, and local governments are typically made in this manner.

(3) Fleet sales: Sales of automobiles, trucks, parts, or accessories to national fleet owners as designated by the various automotive manufacturers, at fleet discounts, and sales to other fleet users (operating five or more units for business purposes) at discounts similar to these provided in sales to national fleet owners.

(4) Sales of specialized heavy motor vehicles or bodies (16,000 lbs. and over gross vehicle weight). The following is a complete list of these items:

(i) Single unit trucks.

Armored (money carrying). Buses (integral). Caal. Drilling. Dump. Hook and ladder (fire department). Chemical wagons (fire department). Garbage. Mixer. Refrigerator. Rotary enowplow Special public utility. Street cleaning. Tank: Wrecher. (ii) Full trailers and semitrailers.

Auto carrier. Coal. Dump. Garbage. House carrier. ow bed carry all. Pole (lumber).

Tank. Van.

Refrigerator.

(5) Sales of servicing and repair work performed under a fleet maintenance arrangement on trucks and other automotive vehicles whereby the establishment undertakes to maintain a customer's fleet at a price below the prevailing retail price.

Prior to the final adoption of the proposed amendment set forth above, consideration will be given to any views, arguments or data pertaining thereto which are submitted in writing to the Administrator, Wage and Hour Division, United States Department of Labor, Washington 25, D. C., within 30 days from the date of publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 7th day of November 1955.

> NEWELL BROWN, Administrator Wage and Hour Division.

JP. R. Duc. 55-9871; Filed, Nov. 9, 1985; 8:49 a. m.]

#### **NOTICES**

#### DEPARTMENT OF LABOR

#### Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to Section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U.S.C. and Supp. 214) and Part 522 of the Regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under Section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates. occupations, wage rates, number or proportion of learners and learning periods for certificates issued under general learner regulations (§§ 522.1 to 522.12) are as indicated below conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations, (29 CFR 522.20 to 522.24, as amended April 19, 1955, 20 F R. 2304)

Blue Anchor, Inc., Olive Hill, Ky., effective 10-31-55 to 10-30-56; 10 percent of the total factory production workers for normal labor turnover purposes (shirts, dungarees, jackets, etc.)

Cluett, Peabody & Co., Inc., Shamokin, Pa., effective 11-4-55 to 11-3-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's sport shirts).

The O. L. Hinds Co., 167 St. Paul Street, Burlington, Vt., effective 10-27-55 to 10-26-56; 10 learners for normal labor turnover purposes (children's snow and ski suits).

Linda Lane Garment Co., 106 Bluff Street, Excelsior Springs, Mo., effective 10-31-55 to 10-30-56; 10 learners for normal labor turnover purposes (nylon, and nylon and orlon uniforms).

Livingston Shirt Corp., 308 South Church Street, Livingston, Tenn., effective 11-5-55 to 11-4-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's dress and sport shirts).

McEwen Manufacturing Co., McEwen, Tenn., effective 11-6-55 to 11-5-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (overalls, dungarees, playsuits).

McMinnville Garment Co., McMinnville, Tenn., effective 11-8-55 to 11-7-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (work trousers).

Charles Meyers & Co., First and Harrison Streets, Belleville, Ill., effective 11–1–55 to 10–31–56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's trousers).

Milan Shirt Manufacturing Co., Milan, Tenn., effective 11-4-55 to 11-3-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work shirts, western and regular).

Palm Beach Co., Talladaga, Ala., effective f0-31-55 to 10-30-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's summer wash pants).

Roydon Wear, Inc., McRae, Ga., effective 10-31-55 to 2-29-56; 60 learners for plant expansion purposes (outerwear, trousers and shirts).

Salant & Salant, Inc., Washington Street, Paris, Tenn., effective 11-9-55 to 11-8-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton and wool work shirts).

Salant & Salant, Inc., First Street, Lexington, Tenn., effective 11-9-55 to 11-8-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work shirts).

Salant & Salant, Inc., Pine Street, Lexington, Tenn., effective 11-6-55 to 11-5-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work shirts).

Salant & Salant, Inc., Obion, Tenn., effective 11-9-55 to 11-8-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work shirts).

Salant & Salant, Inc., Princeton Factory, Tennessee Avenue, Parsons, Tenn., effective 11-8-55 to 11-7-56; 10 percent of the total number of production factory workers for normal labor turnover purposes (cotton work pants).

Salant & Salant, Inc., Troy, Tenn., effective 11-7-55 to 11-6-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work shirts).

Sustan Garments, Inc., Winnsboro, La., effective 10-31-55 to 2-29-56; 25 learners for plant expansion purposes (sportswear).

Vanderbit Shirt Co., Inc., 29-31 Walnut Street, Asheville, N. C., effective 10-26-55 to 10-25-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (western shirts).

The Warner Bros. Co., Massena, N. Y., effective 10-27-55 to 10-26-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (corsets and brassleres).

Williamson-Dickie Manufacturing Co., Eagle Pass., Tex., effective 11-3-55 to 11-2-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees).

Cigar Industry Learner Regulations (29 CFR 522.80 to 522.85, as amended April 19, 1955, 20 F R. 2304)

Bayuk Cigars, Inc., Morgan Street, Selma, Ala., effective 10-26-55 to 2-29-56; 25 additional learners for plant expansion purposes in the occupations hereinafter listed: Cigar machine operating, 320 hours at 65 cents an hour; packing (cigars retailing for 6 cents or less), machine stripping, and hand stripping each 160 hours at 65 cents an hour. (Supplemental certificate.)

Bayuk Cigars, Inc., Second and Washington Streets, Steelton, Pa., effective 10-26-55 to 2-29-56; 25 additional learners for plant expansion purposes in each of the occupations hereinafter listed: Cigar machine operating, and packing (cigars retailing for over 6 cents) each 320 hours; packing (cigars retailing for 6 cents or less), and machine stripping, each 160 hours. All at 65 cents an hour. (Supplemental certificate.)

Regulations Applicable to the Employment of Student-Workers (29 CFR 527.1 to 527.9, October 14, 1955, 20 F R. 7737)

Maplewood Academy, 700 North Main Street, Hutchinson, Minn., effective 10-21-55 to 8-31-56; 25 learners in bookbindery as bookbinder, bindery worker and related skilled and semiskilled occupations, 300 hours at 65 cents an hour and 300 hours at 70 cents an hour; 30 learners in woodworking as assembler, sawyer, machine operator and related skilled and semiskilled occupations, 375 hours at 65 cents an hour and 375 hours at 70 cents an hour; 6 learners in the clerical occupations of typist, bookkeeper and related skilled and semiskilled occupations, 300 hours at 65 cents an hour and 300 hours at 70 cents an hour.

Monterey Bay Academy, P. O. Box 191, Watsonville, Calif., effective 10-25-55 to 8-31-56; 30 learners in trellis shop as millman and other related skilled and semiskilled occupations including incidental clerical work in shop, 250 hours at 65 cents an hour and 250 hours at 70 cents an hour.

Shenandoah Valley Academy, New Market, Va., effective 10-25-55 to 8-31-56; 18 learners in bookbindery as bookbinder, bindery worker, sewer, trimmer, backer, cutter, casemaker, letterer and related skilled and semiskilled occupations including incidental clerical work in shop, 300 hours at 65 cents an hour and 300 hours at 70 cents an hour.

Washington Missionary College, 7600 Flower Avenue, Takoma Park, Washington, D. C., effective 10-27-55 to 8-31-56; 5 learners in woodworking shop (furniture) as machine operator, assembler, furniture finisher and related skilled and semiskilled occupations, including incidental clerical work in the shop, 375 hours at 65 cents an hour and 375 hours at 70 cents an hour.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to provent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the Federal Register pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 4th day of November 1955.

MILTON BROOKE,
Authorized Representative of the
Administrator

[F. R. Doc. 55-9062; Filed, Nov. 9, 1955; 8:47 a. m.]

#### DEPARTMENT OF THE INTERIOR

#### **Bureau of Land Management**

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

NOVEMBER 3, 1955.

An application, serial number Anchorage 031290, for the withdrawal from all forms of appropriation under the public land laws, of the lands described below was filed on September 19, 1955, by Civil Aeronautics Administration, Department of Commerce.

The purposes of the proposed withdrawal: To establish an air navigation obstruction light to Juneau Airport.

For a period of 30 days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the Area Administrator, Area 4, Bureau of Land Management, Department of the Interior at Box 480, Anchorage, Alaska. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the Federal Register, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

(A) From corner No. 2 of Homestead Entry Survey No. 159, said point being on the Mendenhall Pennsula, Alaska, approximate latitude 58°21'30" N., approximate longitude 134°37'30" W., near the easterly side of the Fritz Cove Highway in the vicinity of the Brown residence, go N. 34°55' E. 36.6 feet to a power pole on the Glacter Highway Electric Association pole line and the point of beginning, thence go S. 78°08' E. 907 feet more or less, thence N. 49°46' E. 529 feet more or less to a point which will be the center point of an air navigation light, and,

(B) A 200-foot square plot of land, the sides of which lie North, South, East and West and the center of which is identical with the center point of said air navigation light containing 0.918 acre (40,000 square feet).

Roger R. Robinson, Acting Area Administrator.

[F. R. Doc. 55-9057; Filed, Nov. 9, 1955; 8:46 a. m.]

#### Geological Survey

[Survey Order 218, Amdt. 1]

REGIONAL OIL AND GAS SUPERVISORS AND REGIONAL MINING SUPERVISORS

DELEGATION OF AUTHORITY WITH RESPECT TO SUSPENSION OF OPERATIONS AND PRODUC-TION

Section 1 of Survey Order No. 218 is amended as follows:

Section 1. Suspension of operations and production. Pursuant to the authority contained in Order No. 2699 of August 11, 1952 (as amended) of the Secretary of the Interior, the regional oil and gas supervisors and the regional mining supervisors of the Geological Survey are hereby authorized to act on applications for suspension of operations or production or both, filed pursuant to 43 CFR 70.10, 191.26, 191.27, 200.33, and

to terminate suspensions of this kind 3, 1955, on behalf of the Ohio Bell Telewhich have been or may be granted. 3, 1955, on behalf of the Ohio Bell Telephone Company, one of the above-en-

Dated: November 3, 1955,

THOMAS B. NOLAN,
Acting Director Geological Survey.
Approved:

CLARENCE A. DAVIS,
Acting Secretary of the Interior

[F. R. Doc. 55-9031; Filed, Nov. 0, 1955; 8:47 a. m.]

### Office of the Secretary

[Order 2699, Amdt. 1]

DIRECTOR, GEOLOGICAL SURVEY

DELEGATION OF AUTHORITY WITH RESPECT TO SUSPENSION OF OPERATIONS AND PRODUCTION

November 3, 1955.

Section 1 of Order No. 2699 (17 F. R. 7513) is amended to read as follows:

Section 1. Suspension of operations and production. The Director, Geological Survey, may act for the Secretary of the Interior in finally approving applications for suspension of operations or production or both, filed pursuant to 43 CFR 70.10, 191.26, 191.27, 200.38, and in terminating suspension of this kind which have been or may be granted.

CLARENCE A. DAVIS,
Acting Secretary of the Interior

[F. R. Doc. 55-9960; Filed, Nov. 9, 1935; 8:46 a.m.]

### FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11268, etc., FCC 55M-931]

WISCONSIN TELEPHONE CO. ET AL.

ORDER CONTINUING PREHEARING
CONFERENCE

In re applications of Wisconcin Telephone Company, Docket No. 11263, File No. 5300-F1-P-H; Ohio Bell Telephone Company, Docket No. 11269, File No. 5301-F1-P-H; Ohio Bell Telephone Company, Docket No. 11270, File No. 5745-F1-P-H, for new VHF public class III-B coast stations at Milwaukee, Cleveland and Toledo, respectively and Michigan Bell Telephone Company, Docket No. 11375, File No. 5832-F1-P-H, Michigan Bell Telephone Company, Docket No. 11376, File No. 5833-F1-P-H, Michigan Bell Telephone Company, Docket No. 11377, File No. 5834-F1-P-H; Michigan Bell Telephone Company, Docket No. 11378, File No. 5835-F1-P-H; Michigan Bell Telephone Company, Docket No. 11379, File No. 5836-F1-P-H, for new VHF Public Class III-B coast stations at Hancock, Escanaba, East Tawas, Port Huron and Marquette, Michigan, respectively and Wicconsin Telephone Company, Docket No. 11320, File No. 5299-F1-P-H, for new VHF Public Class III-B coast station at Green Bay (Glenmore), Wisconsin.

The Hearing Examiner having under consideration a motion filed November

3, 1955, on behalf of the Ohio Bell Telephone Company, one of the above-entitled applicants, requesting that the time for the resumption of the pre-hearing conference be continued from November 15, 1955, to December 15, 1955, or some other date subsequent to December 11, 1955; and

It appearing that the reason for the requested continuance is the fact that previous commitments of counsel for the Ohio Bell Telephone Company are such that it will not be possible for them to attend a further pre-hearing conference on November 15, 1955, the date presently scheduled; and

It appearing that counsel for all other parties have agreed orally to the requested extension of time and have also agreed to waive the four-day notice required by the Commission's Rules, and good cause for the requested continuance having been shown;

It is ordered, This the 4th day of November 1955, that the motion to extend the time for the resumption of the prehearing conference is granted and the pre-hearing conference is continued from November 15, 1955, to a date which will be subsequent to December 11, 1955, the precise date to be specified later by the Hearing Examiner after conferring with all parties to the proceeding.

FEBERAL COLLIUNICATIONS COLLIUSSION,

[SEAL] MARY JAME MORPIS, Secretary.

[F. R. Doc. 55-9074; Filed, Nov. 9, 1955; 8:49 a. m.]

[Docket Nos. 11392, 11393; FCC 55M-939]

BARTLETT AND REED MANAGEMENT AND BLACKHILLS VIDEO CO.

ORDER SCHEDULING HEARING

In reapplications of Bartlett and Reed Management, Rapid City, South Dakota, Docket No. 11392, File Nos. 557/558/559/560/561/562/563-C1-P-55; and Blackhills Video Company, Rapid City, South Dakota, Docket No. 11393, File Nos. 1036/1097/1093/1099/1100/1101/1102/1103/1104/1103-C1-P-55; for construction permits for radio relay facilities.

It is ordered, This 2d day of November 1955, that Basil P. Cooper, in lieu of William G. Butts, will preside at the hearing in the above-entitled matter which is hereby scheduled to commence on December 5, 1955, in Washington,

Released: November 4, 1955.

FEBERAL COMMUNICATIONS
COMMISSION,
MARY JAME MODELS

[SEAL] MARY JANE MORRIS,

Secretary.

[F. R. Dec. 55-9575; Filed, Nov. 9, 1955; 8:59 a. m.]

[Dechet No. 11477; FCC 55M-929] RADIO STATION KLLL, INC. (KLLL.)

ORDER SCHEDULRIG HEARING

In re application of Radio Station KLLL, Inc. (KLLL), Lubbock, Texas,

Docket No. 11477, File No. BP-9750, for

construction permit.

It is ordered, This 2d day of November 1955, that Elizabeth C. Smith will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on December 6, 1955, in Washington, D. C.

Released: November 4, 1955.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F R. Doc. 55-9076; Filed, Nov. 9, 1955; 8:50 a. m.]

[Docket Nos. 11493, 11494; FCC 55M-928]

RADIO BROADCASTING SERVICE AND DANA W ADAMS

#### ORDER SCHEDULING HEARING

In re applications of Louis Alford, Phillip D. Brady and Albert Mack Smith, d/b as Radio Broadcasting Service, Tyler, Texas, Docket No. 11493, File No. BP-9761, Dana W Adams, Tyler, Texas, Docket No. 11494, File No. BP-9841, for construction permits.

It is ordered, This 2d day of November 1955, that Annie Neal Huntting will preside at the hearing in the above-entitled matter which is hereby scheduled to commence on December 15, 1955, in Washington, D. C.

Released: November 4, 1955.

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION,
MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-9077; Filed, Nov. 9, 1955; 8:50 a.m.]

[Docket Nos. 11503, 11504; FCC 55M-926]

HARRY LAURENCE HILL AND ARLINE S. HODGINS

#### ORDER SCHEDULING HEARING

In re applications of Harry Laurence Hill, Fort Lupton, Colorado, Docket No. 11503, File No. BP-9842; Arline S. Hodgins, Brighton, Colorado, Docket No. 11504, File No. BP-9885; for construction permits.

It is ordered, This 2d day of November 1955, that H. Gifford Irion will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on December 19, 1955, in Washington, D. C.

Released: November 4, 1955.

FEDERAL COMMUNICATIONS
COMMISSION,
MARY JANE MORNS

[SEAL] MARY JANE MORRIS, Secretary.

[F R. Doc. 55-9078; Filed, Nov. 9, 1955; 8:50 a. m.]

[Docket Nos. 11505, 11506; FCC 55M-927]

HI-LINE BROADCASTING CO. AND WOLF POINT BROADCASTING CO.

ORDER SCHEDULING HEARING

In re applications of Mike M. Vukelich, E. E. Krebsbach and Robert E. Coffey.

d/b as Hi-Line Broadcasting Company, Wolf Point, Montana, Docket No. 11505, File No. BP-9720; Charles L. Scofield and Willard L. Holter, d/b as The Wolf Point Broadcasting Company, Wolf Point, Montana, Docket No. 11506, File No. BP-9843; for construction permits.

It is ordered, This 2d day of November 1955, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on December 15, 1955, in Washington, D. C.

Released: November 4, 1955.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F. R. Doc. 55-9079; Filed, Nov. 9, 1955; 8:50 a. m.]

[Docket Nos. 11511, 11512; FCC 55M-925] BOOTH RADIO AND TELEVISION STATIONS, INC., AND EATON COUNTY BROADCASTING CO.

#### ORDER SCHEDULING HEARING

In re applications of Booth Radio and Television Stations, Inc., Lansing, Michigan, Docket No. 11511, File No. BP-9767 Roy W. McLean and Craig E. Davids, d/b as Eaton County Broadcasting Company, Charlotte, Michigan, Docket No. 11512, File No. BP-9876; for construction permits

It is ordered, This 2d day of November 1955, that Basil P Cooper will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 12, 1956, in Washington, D. C.

Released: November 4, 1955.

Federal Communications
Commission,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-9080; Filed, Nov. 9, 1955; 8:50 a. m.]

[Docket No. 11516; FCC 55M-924]

ELIZABETH EVANS AND W COURTNEY EVANS (WSUX)

#### ORDER SCHEDULING HEARING

In re application on Elizabeth Evans and W Courtney Evans (WSUX) Seaford, Delaware, Docket No. 11516, File No. BMP-6870; for construction permit.

It is ordered, This 2d day of November 1955, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 3, 1956, in Washington, D. C.

Released: November 4, 1955.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,

Secretary.

[F. R. Doc. 55-9081; Filed, Nov. 9, 1955; 8:50 a. m.]

[Docket No. 11526; FCC 55-106]

ELYRIA-LORAIN BROADCASTING CO., INC. (WEOL)

MEMORANDUM OPINION AND ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Elyria-Lorain Broadcasting Co., Inc. (WEOL), Elyria, Ohio, Docket No. 11526, File No. BR-2173; for renewal of license.

1. The Commission has before it a protest and petition for reconsideration pursuant to sections 309 (c) and 405 of the Communications Act of 1934, as amended, filed October 5, 1955 by the Lorain Journal Company, Lorain, Ohio, against the Commission's action of September 7, 1955, granting without hearing the above-entitled application. An opposition to the protest was filed by the Elyria-Lorain Broadcasting Co., Inc., on October 17, 1955.

2. The Lorain Journal Company claims standing as a "party in interest" under section 309 (c) of the Communications Act of 1934, as amended, by virtue of its status as the publisher of "The Lorain Journal", a newspaper of general circulation in Lorain, Ohio. The Journal Company alleges that it publishes the sole daily newspaper in Lorain, Ohio, and that Elyria-Lorain Broadcasting, licensee of Station WEOL, although licensed for Elyria, Ohio, has auxiliary studios and originates programs in Loram; that Station WEOL considers that it is a Lorain, as well as an Elyrla station; that Station WEOL and "The Lorain Journal" are the only advertising media of general circulation in Lorain and are in competition with each other for news and advertising revenues; and that, consequently, the Journal Company will suffer economic injury within the meaning of the Sanders case 1 and, pursuant to the decision in Clarksburg Publishing Co. v. F C. C., -- U. S. App. -F 2d decided June 9, 1955, is a "party in interest" under Section 309 (c) of the Act.

3. In support of its protest, the Journal Company alleges, in substance, that Station WEOL has engaged in competitive practices contrary to the public interest by broadcasting news stories pirated from "The Lorain Journal"; that it failed to file the subject application for renewal of license within the period prescribed by section 1.320 (a) of the Commission's rules; that in the subject renewal application Station WEOL is guilty of major deviations from original programing representations; that Station WEOL or its officers, directors, stockholders or employees have circulated or broadcast false and malicious statements regarding "The Lorain Journal"; and that it applied for a construction permit for a television station for the purpose of blocking a possible grant to the Journal Company. The protestant requests. pursuant to the provisions of sections 309 (c) and 405 of the Communications Act, that the Commission designate the above-entitled application for hearing,

<sup>&</sup>lt;sup>1</sup>F. C. C. v. Sanders Brothers Radio Station, 309 U. S. 407 (1940).

on the issues specified in the protest, together with such other issues as the Commission deems appropriate, and to reconsider and set aside its order of September 7, 1955, granting the application of Elyria-Lorain Broadcasting for renewal of license of Station WEOL.

4. In its reply to the above protest, Elyria-Lorain Broadcasting argues that the Journal Company has failed to set forth particular "facts, matters and things relied upon" in support of its protest, as required by section 309 (c) of the act, and that the protest constitutes general allegations and conclusions of law insufficient under the statute without some specification of events and circumstances. Elyria-Lorain Broadcasting therefore urges that the protest be denied, but requests that if the Commission grants the protest, it should include in the order of hearing additional issues for the purpose of permitting ingury into the basis upon which the protest was filed, the motives and integrity of The Lorain Journal Company and Mr. Samuel A. Horvitz, Vice President and publisher of "The Lorain Journal" in particular, and whether filing of the instant protest constituted an abuse of the processes of the Federal Communications Commission.

5. The protestant claims standing under section 309 (c) of the Communications Act, by virtue of the allegations that its newspaper and the applicant's station will compete for advertising revenues and that the protestant will suffer economic injury as a result of the grant of renewal. We were of the view in Ohio Valley Broadcasting Corp., 10 Pike & Fischer Rad. Reg. 452 (1954) rev'd on other grounds, Clarksburg Publishing Co. v. F C. C., supra, that a newspaper publisher who protested the grant of a permit to construct a new television station was a "party in interest" within the meaning of section 309 (c) of the act, as amended. We are of the opinion that a newspaper publisher has similar standing to protest the grant of license renewal for a broadcasting station where the two compete with each other for news and advertising revenues. We therefore find the protestant to be a "party in interest" within the meaning of section 309 (c) of the Communications Act of 1934, as amended.

6. The only question remaining is whether the protestant has satisfied the requirements of section 309 (c) of the act, as amended, by specifying with sufficient particularity the "facts, matters and things relied upon" in support of the protest. The Commission finds that the protestant has satisfied this requirement relating to alleged deviations from Station WEOL's program commitments and to the question of whether the Elyria-Loram application for a permit to construct a new television station was designed to "block" a grant to the protestant. With respect to the remaining issues, we are of the opinion that they amount to nothing more than general allegations "obviously insufficient under the statute without some specification of 'events and circumstances"

Federal Broadcasting System, Inc. v. F C. C., — U. S. App. D. C. — , — F 2d — decided July 28, 1955.

7. As noted above, the applicant, in its opposition to the protest, requested that in the event the Commission allowed the protest, it include three issues with reference to the basis upon which the protest was filed, the motives and integrity of the protestant, and whether the filing of the instant protest constituted an abuse of the processes of the Commission. These requested issues are neither relevant to a determination of the merits of the instant protest nor to a reconsideration of our action granting the subject application. Accordingly, are not designating for hearing the issues requested by the applicant.

8. In view of the foregoing: It is ordered, That, pursuant to section 309 (c) of the Communications Act of 1934, as amended, the above-entitled application for renewal of license is designated for hearing at the offices of the Commission in Washington, D. C., on the following issues:

(1) To determine whether false and misleading statements have been made by Elyria-Lorain Broadcasting Company or its officers, directors and stockholders regarding program plans.

(2) To determine whether Elyria-Lorain Broadcasting Company has abided by its representations with regard to programming of Station WEOL.

(3) To determine whether Elyria-Lorain Broadcasting Company applied for a construction permit for a new television station in Elyria in good faith and not for the purpose of preventing another applicant from securing a construction permit for the same facilities.

(4) To determine if Elyria-Lorain Broadcasting Company has proceeded with the construction of its proposed television station in accordance with representations made to the Commission.

(5) To determine whether in the light of the above, the application of Elyria-Lorain Broadcasting Company for renewal of license of Station WEOL should be denied.

It is further ordered, That, the burden of proof as to each of the aforementioned issues shall be on the protestant; That the protestant and the Chief, Broadcast Bureau are hereby made parties to the proceeding herein; and That:

(a) The hearing on the above issues shall commence before an examiner at a time and place to be designated by subsequent order; and

(b) The parties to the proceeding herein shall have fifteen (15) days after the issuance of the Examiner's decision to file exceptions thereto and seven (7) days thereafter to file replies to any such exceptions.

Adopted: November 2, 1955. Released: November 7, 1955.

FEDERAL COMMUNICATIONS
COMMISSION.

[SEAL] MARY JANE MORRIS, Secretary.

[F. R. Doc. 55-9082; Filed, Nov. 9, 1955; 8:51 a. m.]

[Docket No. 11527; FCC 55-1662] RICHLAND, INC. (WMAN)

IMEMORANDUM OPINION AND ORDER DESIG-MATRIG APPLICATION FOR HEADING ON STATED ISSUES

In re application of Richland, Inc. (WMAN), Mansfield, Ohio, Docket No. 11527, File No. BR-1037; for renewal of licence.

1. The Commission has before it a protest and patition for reconsideration, pursuant to sections 309 (c) and 405 of the Communications Act of 1934, as amended, filed October 5, 1955, by the Mansfield Journal Company, Mansfield, Ohio, against the Commission's action of September 7, 1955, granting without hearing the above-entitled application. An opposition to such protest was filed by Richland, Inc., on October 14, 1955.

2. The Mansfield Company claims standing as a "party in interest" under section 309 (c) of the Communications Act of 1934, as amended, by virtue of its status as the publisher of "The Mansfield Journal," a newspaper of general circulation in Mansfield, Ohio. The Mansfield Company alleges that Richland, Inc., licensee of Station WMAN, and "The Mansfield Journal" are the only advertising media of general circulation in Mansfield and are in competition with each other for news and advertising revenues; and that, consequently, the Mansfield-Company will suffer economic injury within the meaning of the Sanders case and, pursuant to the decision in Clarksburg Publishing Co. v. F C. C., — U. S. App. D. C. — F 2d — decided June 9, 1955; is a "party in interest" under section 309 (c) of the act.

3. In support of its protest, the Mansfield Company alleges, in substance, that Station WMAN has engaged in competitive practices contrary to the public interest by broadcasting news stories pirated from "The Mansfield Journal". that Richland, Inc., or its officers, directors and stockholders made false representations and statements in obtaining the original authorizations for Station WMAN; that it further made false programming representations in the subject renewal application; that it failed to supply to the Commission required information as to proposed programming: and that it made application for a construction permit for an FM station for the purpose of blocking a possible grant to the Mansfield Company. The protestant requests that, pursuant to the provisions of sections 309 (c) and 405 of the Communications Act, the Commission designate the above-entitled application for hearing, on the issues specified in the protest, together with such other issues as the Commission deems appropriate, and to reconsider and set aside its order of September 7, 1955, granting the application of Richland, Inc., for renewal of license of Station WMAN.

4. In its reply to the above protest, Richland, Inc., argues that the Mans-

<sup>&</sup>lt;sup>2</sup>P. C. C. v. Sanders Brothers Radio Station, 363 U. S. 467 (1940).

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field Journal Company has failed to plead facts establishing its standing as a "party in interest" under section 309 (c) of the act, and that the protest has failed to set forth particular "facts, matters and things relied upon" as required by section 309 (c) of the act. Richland, Inc., urges, therefore, that the protest be denied.

- 5. The protestant claims standing under section 309 (c) of the Communications Act, as amended, by virtue of the allegations that its newspaper and the applicant's station will compete for advertising revenues and that the protestant will suffer alleged economic injury as a result of the grant of renewal. We were of the view in Ohio Valley Broadcasting Corp., 10 Pike & Fischer Rad. Reg. 452 (1954), rev'd on other grounds, Clarksburg Publishing Co. v. F C. C., supra, that a newspaper publisher who protested the grant of a permit to construct a new television station was a "party in interest" within the meaning of section 309 (c) of the act, as amended. We are of the opinion that a newspaper publisher has similar standing to protest the grant of license renewal for a broadcasting station where the two compete with each other for news and advertising revenues. We therefore find the protestant to be a "party in interest" within the meaning of section 309 (c) of the Communications Act of 1934, as amended.
- 6. The only question remaining is whether the protestant has satisfied the requirements of section 309 (c) of the act, as amended, by specifying with sufficient particularity the "facts, matters and things relied upon" in support of the protest. The Commission finds that the protestant has satisfied this requirement with respect to the issues pertaining to programming representations appearing on Station WMAN's subject application for renewal of license. However, we are of the opinion that the issues predicated upon charges of alleged news piracy and the broadcasting of false and malicious statements by the applicant are nothing more than general allegations "obviously insufficient under the statute without some specification of events and circumstances.
  System, Inc. v. F. C. C., — U. S. App. cumstances." Federal Broadcasting 28, 1955. Additionally, we are denying the first three issues specified by the protestant. The issues we are declining are designed:

(a) To determine whether Richland, Incorporated has complied with the Rules and Regulations of the Federal Communications Commission with regard to the filing of accurate information as to stock ownership of said company:

- (b) To determine whether false or misleading statements have ever been made by Richland, Incorporated or its officers, directors and stockholders regarding plans of financing and stock ownership:
- (c) To determine whether there has ever been an unauthorized transfer of control of Richland, Incorporated;

In urging that these are matters to be inquired into at hearing on its protest, the Mansfield Company has culled, from

the record of a proceeding 2 held in 1942 on the application for renewal of license for Station WMAN, matters which it thinks warrant denial of the license renewal application involved here. But the protestant is relying on matter already heard and decided in connection with the earlier proceeding. Under the circumstances, Mansfield Company is not entitled to avail itself of a remedy designed to permit hearing inquiry into matters decided without hearing. In deciding that the protestant may not retry the above issues in the section 309 (c) proceeding we are herein ordering, we are not making any determination of the materiality or relevancy of the facts and matters of record in the earlier proceeding as related to the issues herein set for hearing.

7. In view of the foregoing: It is ordered, That pursuant to section 309 (c) of the Communications Act of 1934, as amended, the above-entitled application for renewal of license is designated for hearing at the offices of the Commission in Washington, D. C., on the following issues:

(1) To determine the accuracy of representations of Richland, Incorporated as to past programming.

(2) To determine Richland, Incorporated's plans for programming Station WMAN.

(3) To determine in the light of the foregoing whether Richland, Incorporated has the necessary qualifications to be licensee of Radio Station WMAN.

(4) To determine whether in the light of the evidence adduced under the above issues the Commission should deny the application of Richland, Incorporated for renewal of license of Station WMAN.

It is further ordered, That, the burden of proof as to each of the aforementioned issues shall be on the protestant; That the protestant and the Chief, Broadcast Bureau are hereby made parties to the proceeding herein; and That:

(a) The hearing on the above issues shall commence before an examiner at a time and place to be designated by subsequent order; and

(b) The parties to the proceeding herein shall have fifteen (15) days after the issuance of the Examiner's decision to file exceptions thereto and seven (7) days thereafter to file replies to any such exceptions.

Adopted: November 2, 1955. Released: November 7, 1955.

> Federal Communications Commission, Mary Jane Morris,

[SEAL] MARY JANE MORRIS, Secretary.

[F. R. Doc. 55-9083; Filed, Nov. 9, 1955; 8:51 a. m.]

[Docket No. 11530; FCC-1091]

JAMES W MILLER

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of James W Miller, Milford, Massachusetts, Docket No.

<sup>2</sup>Richland, Inc. (WMAN), 10 F. C. C. 395 (1944).

11530, File No. BP-9878; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of November 1955:

The Commission having under consideration the above-entitled application of James W Miller for a construction permit for a new standard broadcast station to operate on 1490 kilocycles with a power of 250 watts, unlimited time, at Milford, Massachusetts; and

It appearing that the applicant is legally, technically, financially and otherwise qualified to operate the station as proposed but that operating as proposed applicant may cause interference to Stations WSAR, Fall River, Massachusetts (1480 kc, 5 kw, DA-2, U), and WHAV Haverhill, Massachusetts (1490 kc, 250 w, U) and

It further appearing that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicant was advised by letter dated August 11, 1955, of the aforementioned deficiency and that the Commission was unable to conclude that a grant of the application would be in the public interest: and

It further appearing that in an amendment dated October 10, 1955, field intensity measurements were submitted purporting to show that no interference would result to Stations WSAR and WHAV but that the measurements are insufficient to prove that the said interference would not result to Stations WSAR and WHAV; and

It further appearing that timely replies were received from Stations WSAR and WHAV in which each expressed its intention to appear at a hearing on the subject application; and

It further appearing that the Commission, after consideration of the replies, is of the opinion that a hearing is necessary;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would be served by the subject proposal, and the availability of other primary service to such areas and populations.

2. To determine whether the operation of the subject proposal would involve objectionable interference with Stations WSAR, Fall River, Massachusetts, and WHAV Haverhill, Massachusetts, or any other existing broadcast station, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine, in the light of the evidence adduced with respect to the foregoing issues, whether the subject proposed station would serve the public interest, convenience or necessity.

It is further ordered, That the Fall River Broadcasting Company, Inc., licensee of Station WSAR, Fall River, Massachusetts and the WHAV Broadcasting Company, Inc., licensee of Station WHAV Haverhill, Massachusetts, are made parties to the proceeding.

Released: November 7, 1955.

Federal Communications Commission,

[SEAL]

MARY JANE MORRIS,

Secretary.

[F. R. Doc. 55-9084; Filed, Nov. 9, 1955; 8:51 a. m.]

[Docket No. 11531; FCC 55-1022] SANFORD A. SCHAFITZ

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Sanford A. Schafitz, Loram, Ohio, Docket No. 11531, File No. BP-9934; for construction permit.

At a session of the Federal Communcations Commission held at its offices in Washington, D. C., on the 2d day of Noyember 1955;

The Commission having under consideration the above-entitled application of Sanford A. Schafitz for a construction permit for a new standard broadcast station to operate on 1380 kilocycles with a power of 500 watts, daytime only

It appearing that the applicant is legally, technically, financially and otherwise qualified, except as may appear from the issues specified below, to operate the proposed station, but that the proposed operation may involve interference with Stations WTTH, Port Huron, Michigan; and WSPD, Toledo, Ohio; and

It further appearing that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicant was advised by letter dated August 24, 1955, that the Commission was unable to conclude that a grant of the application would be in the public interest; and

It further appearing that the applicant filed a timely reply to the Commission's letter; and

It further appearing that Stations WSPD and WTTH in letters dated July 1 and 22, 1955, respectively, requested that the subject application be designated for hearing on grounds of the above-described interference and that they be made parties to the hearing; and

It further appearing that the Commission, after consideration of the applicant's reply, is of the opinion that a hearing is necessary.

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and population which would receive primary service from the proposed operation, and the availability of other primary service to such areas and populations.

2. To determine whether the proposed operation would involve objectionable interference with Stations WTTH, Port Huron, Michigan, and WSPD, Toledo, Ohio, or any other existing standard broadcast station, and, if so, the nature and extent thereof, the areas and popu-

lations affected thereby and the availability of other primary service to such areas and populations.

3. To determine whether in the light of the evidence adduced under the foregoing issues, a grant of the proposed operation would be in the public interest.

It is further ordered, That The Times Herald Company, licensee of Station WTTH, Port Huron, Michigan; and Storer Broadcasting Company, licensee of Station WSPD, Toledo, Ohio, are made parties to the proceeding.

Released: November 7, 1955.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F. R. Doc. 55-9085; Filed, Nov. 9, 1955; 8:51 a. m.],

#### CIVIL AERONAUTICS BOARD

[Docket No. 7415]

BYERS-WIEN MERGER

NOTICE OF POSTPONEMENT OF PREHEARING CONFERENCE

In the matter of the joint application of Wien Alaska Airlines, Inc. and Byers Airways, Inc. for approval of agreement of acquisition and purchase of the routes and certificate of Byers Airways, Inc.

Notice is hereby given that the prehearing conference in the above-entitled proceeding now assigned for November 9, 1955, is hereby cancelled and reassigned to be held on November 22, 1955, at 10:00 a. m., e. s. t., in Room 1512, Temporary Building No. 4, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Joseph L. Fitzmaurice,

Dated at Washington, D. C., November 7, 1955.

[SEAL] FRANCIS W BROWN, Chief Examiner

[F. R. Doc. 55-9073; Flied, Nov. 9, 1955; 8:49 a.m.]

#### FEDERAL POWER COMMISSION

[Docket No. E-6649]

MONTANA-DAKOTA UTILITIES Co.

NOTICE OF APPLICATION

NOVEMBER 7, 1955.

Take notice that on October 19, 1955, with amendment thereto on October 28,

1955, an application was filed with the Federal Power Commission pursuant to Section 204 of the Federal Power Act by Montana-Dakota Utilities Co. (Applicant) a corporation organized under the laws of the State of Delaware and doing business in the States of Minnesota. Montana, North Dakota, South Dakota and Wyoming, with its principal business office at Minneapolis, Minnesota, seeking an order authorizing the issuance of 50,000 shares of Preferred Stock of the par value of \$100 each. Applicant states that the said stock will be of the same class and of equal rank with the 4.5 percent series of Preferred Stock now outstanding; the 50,000 shares of Preferred Stock proposed to be issued will be designated as a separate series. The dividend rate of the proposed stock will not exceed 5 percent per annum and the redemption premium will not exceed \$5 per share. The dividends will be cumulative from October 1, 1955. Applicant has requested exemption from the competitive bidding requirements and proposes to issue the Preferred Stock under an underwriting agreement to be arrived at through private negotiation, all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should on or before the 25th day of November 1955, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's Rules of Practice and Procedure. The application is on file and available for public inspection.

[SEAL]

J. H. Gutride, Acting Secretary.

[F. R. Doc. 55-9036; Filed, Nov. 9, 1955; 8:52 a. m.]

[Docket No. G-9532]

FOREST OIL CORP.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Forest Oil Corporation (Applicant) on October 3, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing, which is proposed to become effective on the date shown:

Description	Purchaser	Rata scholula designativa	Effective date
Notice of change, undated	United Fuel Gas Co	Supplement No. 1 to Applicant's FFC Une Rate Schedule No. 3.	Nov. 3,1035

 $^{1}$ The stated effective date is the first day after expiration of the required 20 days' notice, or the effective date proposed by Applicant filter.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to

aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplement he suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same is hereby suspended and the use thereof deferred until April 3, 1956, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Interested State commissions may participate as provided by sections 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR

1.8 and 1.37 (f))

Adopted: November 2, 1955. Issued: November 2, 1955. By the Commission.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 55-9091; Filed, Nov. 9, 1955; 8:53 a. m.]

[Docket No. G-9254]

EAST TENNESSEE NATURAL GAS CO.

NOTICE OF APPLICATION AND DATE OF
HEARING

November 3, 1955.

Take notice that East Tennessee Natural Gas Company, Applicant, a Tennessee corporation whose address is P O. Box 831, Knoxville, Tennessee, filed an application on August 23, 1955, as supplemented on September 19, 1955, for a certificate of public convenence and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to construct and operate a physical connection and metering and regulating equipment at a point on its existing main 12-inch line in Franklin County, Tennessee, to permit the delivery and sale of a firm daily volume of up to 2,000 Mcf to the Elk River Public Utility District (District) for resale in and near the towns of Winchester and Decherd. Tennessee.

chester and Decherd, Tennessee.

The cost of East Tennessee's projected facilities is estimated at \$12,626 to be obtained from cash on hand.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal-Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Tuesday, December 13, 1955, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before November 21, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the inter-

Tuesday, December 13, 1955, at 9:30 mediate decision procedure in cases a. m., e. s. t., in a hearing room of the where a request therefor is made.

[SEAL]

J. H. Gutride, Acting Secretary.

[F. R. Doc. 55-9088; Filed, Nov. 9, 1955; 8:52 a. m.]

[Docket No. G-9593]

TEXAS Co.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

The Texas Company (Applicant), on October 3, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing, which is proposed to become effective on the date shown:

Description	Purchaser	Rato schedulo designation	Effective date 1
Notice of change, undated	United Fuel Gas Co	Supplement No. 1 to Applicant's FPO Gas Rate Schedule No. 3,	Nov. 3,1035

<sup>&</sup>lt;sup>1</sup>The stated effective date is the first day after expiration of the required 30 days' notice, or the effective date proposed by Applicant if later.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until April 3, 1956, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Interested State commissions may participate as provided by sections 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Adopted: November 2, 1955.

Issued: November 2, 1955.

By the Commission.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 55-9092; Filed; Nov. 9, 1955; 8:53 a. m.]

[Docket No. G-9594]

TEXAS CO.

ORDER SUSPENDING PROPOSED CHANGES IN

The Texas Company (Applicant), on October 3, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing, which is proposed to become effective on the date shown:

Description	Purchaser	Rato schedulo designation	Effective date
Notice of change, undated	United Fuel Gas Co	Supplement No. 1 to Applicant's FPC Gas Rate Schedule No. 2.	Nov. 3, 1955

<sup>&</sup>lt;sup>1</sup>The stated effective date is the first day after expiration of the required 30 days' notice, or the effective date proposed by Applicant if later.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes,

<sup>&</sup>lt;sup>1</sup> Commissioner Digby dissenting.

and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until April 3, 1956, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Interested State commissions may participate as provided by sections 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f))

Adopted: November 2, 1955.

Issued: November 2, 1955.

By the Commission.

[SEAL]

J. H. Gutride, Acting Secretary.

[F. R. Doc. 55-9093; Filed, Nov. 9, 1955; 8:53 a. m.]

[Docket No. G-6063]

Film Oil and Gas Co.

NOTICE OF APPLICATION AND DATE

OF HEARING

NOVEMBER 3, 1955.

Take notice that Elm Oil and Gas Company (Applicant) a Delaware corporation whose address is 602 Fidelity Union Life Building, Dallas, Texas, filed on November 26, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant sells natural gas produced in the Hugoton Field, Kearny and Grant Counties, Kansas, to Colorado Interstate Gas Company, at 11 cents per Mcf, for transportation in interstate commerce for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on December 9, 1955, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Com-

mission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) on or before November 22, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision pro-

cedure in cases where a request therefor is made.

[SEAL]

J. H. Gutride, Acting Secretary.

[F. R. Doc. 55-9807; Filed, Nov. 9, 1955; 8:52 a. m.]

[Dooket No. G-9595]

TEXAS Co.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

The Texas Company (Applicant) on October 3, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing, which is proposed to become effective on the date shown:

Description	Purchaser	Rate cahodule derignation	Effectiva date t
Notice of change, undated	United Fuel Gas Co	Supplement No. 1 to Applicant's FPC Geo Rate Schedule No. 4.	Nov. 3,1335

<sup>&</sup>lt;sup>1</sup> The stated effective date is the first day after expiration of the required CO days' notice, or the effective date proposed by Applicant if later.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until April 3, 1956, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Interested State commissions may participate as provided by sections 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Adopted: November 2, 1955.

Issued: November 2, 1955.

By the Commission.

[SEAL]

J. H. Gutride, Acting Secretary.

[F. R. Doc. 55-9034; Filed, Nov. 9, 1955; 8:53 a.m.]

[Decument No. G-9536]

TEXAS Co.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

The Texas Company (Applicant) on October 3, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurdisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing, which is proposed to become effective on the date shown:

Description	Purchaser	Rate cohe lule designation	Effectiva date <sup>1</sup>
Notice of change, undated	United Fuel Gas Co	Supplement No. 1 to Applicant's FPC Cas Rate Schedule No	Nov. 3,1935

<sup>&</sup>lt;sup>1</sup>The stated effective date is the first day after expiration of the required 20 day's notice, or the effective date proposed by Applicant if later.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discrimitory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed

<sup>&</sup>lt;sup>1</sup> Commissioner Digby dissenting.

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changes, and that the above-designated supplement be suspended and the use thereof deferred as heremafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until April 3, 1956, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Interested State commissions may participate as provided by sections 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8

and 1.37 (f))

Adopted: November 2, 1955.

Issued: November 2, 1955.

By the Commission.

[SEAL]

J. H. Gutride, Acting Secretary.

[F. R. Doc. 55-9095; Filed, Nov. 9, 1955; 8:53 a. m.]

[Docket No. G-9316]

FRYER & HANSON DRILLING CO.

NOTICE OF APPLICATION AND DATE OF HEARING

NOVEMBER 3, 1955.

Take notice that Fryer & Hanson Drilling Company (Applicant) a partnership, whose address is 2520 Republic National Bank Building, Dallas, Texas, filed on September 12, 1955, an application for a certificate of public convenence and necessity pursuant to Section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to sell natural gas produced from a one-fourth working interest in the Olin Industries, Inc. Unit No. 1 in the Carthage Field, Panola County, Texas, at an initial price of 9.689525 cents per Mcf, for transportation in interstate commerce for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on December 9, 1955, at 9:35 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before November 22, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the

intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. Gutride, Acting Secretary.

[F. R. Doc. 55-9089; Filed, Nov. 9, 1955; 8:52 a. m.]

[Docket No. G-9597]

H. L. Brown

ORDER SUSPENDING PROPOSED CHANGES IN RATES

H. L. Brown (Applicant), on October 3, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing, which is proposed to become effective on the date shown:

Description	Purchaser	Rato schedulo designation	Effective date 1
Notice of change, undated	United Fuel Gas Co	Supplement No. 1 to Applicant's FPC Gas Rate Schedule No. 1.	Nov. 3, 1955

<sup>&</sup>lt;sup>1</sup>The stated effective date is the first day after expiration of the required 30 days' notice, or the effective date proposed by Applicant if later.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary, and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the use thereof deferred until April 3, 1956, and until such further time as it is made effective in the manner prescribed by the Natural Gas. Act.

(B) Interested State commissions may

participate as provided by sections 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f))

Adopted: November 2, 1955.

Issued: November 2, 1955.

By the Commission.1

·[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 55-9096; Filed, Nov. 9, 1955; 8:54 a. m.]

[Docket No. G-9598]

Dolte Cheramie

ORDER SUSPENDING PROPOSED CHANGES IN

Dolte Cheramie (Applicant), on October 3, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing, which is proposed to become effective on the date shown:

Description	Purchaser	Rate schedule designation	Effective date !
Notice of change, undated	United Fuel Gas Co	Supplement No. 1 to Applicant's FPC Gas Rate Schedule No. 1.	Nov. 3,1985

<sup>&</sup>lt;sup>1</sup>The stated effective date is the first day after expiration of the required 30 days' notice, or the effective date proposed by Applicant if later.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discrimnatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed

<sup>&</sup>lt;sup>1</sup> Commissioner Digby dissenting.

changes, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered. bearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until April 3, 1956, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Interested State commissions may participate as provided by sections 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8

and 1.37 (f))

Adopted: November 2, 1955.

Issued: November 2, 1955.

By the Commission.1

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 55-9097; Filed, Nov. 9, 1955; 8:54 a. m.]

[Docket No. G-9329]

MESSENGER-WHITE GAS CO. ET AL.
NOTICE OF APPLICATION AND DATE OF
HEARING

NOVEMBER 3, 1955.

Take notice that Messenger-White Gas Company, et al. (Applicant) a West Virginia organization whose address is Glenville, West Virginia, filed on September 15, 1955, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to sell natural gas produced from Stewarts Creek Field, Baldwin County, West Virginia, to Equtable Gas Company at an initial price of 20 cents per Mcf, for transportation in interstate commerce for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on December 9, 1955, at 9:40 a. m., e. s. t., in a

hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before November 22, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the

intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. Gutride, Acting Secretary.

[F. R. Doc. 55-9030; Filed, Nov. 9, 1955; 8:52 a. m.]

[Docket No. G-9599]

ROBERT MOSBACHER

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Robert Mosbacher (Applicant) on October 3, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing, which is proposed to become effective on the date shown:

Description	Purchastr	Rate schedule designation	Effective data i
Notice of change, undated	United Fuel Gas Co	Supplement No. 1 to Applicant's FPC Uas Rate Schedule No. 1.	Nov. 3,1835

<sup>&</sup>lt;sup>1</sup> The stated effective date is the first day after expiration of the required 29 days' notice, or the effective date proposed by Applicant II later.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discrimnatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (13 CFR, Chapter I), a public hearing he held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until April 3, 1956, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Interested State commissions

may participate as provided by sections 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Adopted: November 2, 1955.

Issued: November 2, 1955.

By the Commission.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 55-9033; Filed, Nov. 9, 1955; 8:54 a. m.]

[Docket No. G-9600]

EUNICE J. VINET

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Eunice J. Vinet (Applicant) on October 3, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing, which is proposed to become effective on the date shown:

Description	Purchaser	Rate scholule designation	Effective date 1
Notice of change, undated	United Fuel Gas Co	Supplement No. 1 to Applicant's FPC Gas Rate Schedule No. 1.	Nov. 3,1053

The stated effective date is the first day after expiration of the require I CO days' notice, or the effective date proposed by Applicant if later.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes,

<sup>&</sup>lt;sup>1</sup> Commissioner Digby dissenting.

of the Commission The proposed changes which constitute increased rates and charges are contained in the following designated filing which is proposed to become effective on the date ules for sales subject to the jurisdiction changes in presently effective rate sched

ment be suspended and the use thereof and that the above-designated suppledeferred as hereinafter ordered

Adopted: November 2 1955

Issued: November 2 1955

By the Commission 1

[SEAL]

The Commission orders:

to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred tained in sections 4 and 15 of the Natural Gas Act and the Commissions general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date manner prescribed by the Natural Gas ther time as it is made effective in the until April 3, 1956 and until such fur-

ORDER SUSPENDING PROPOSED CHANGES IN

RATES

[Docket No G-9601]

W R WHEELER

(B) Interested State commissions may participate as provided by sections practice and procedure (18 CFR 18 18 and 137 (f) of the Commission s rules and 137 (f))

creased rates and charges are contained in the following designated filing which is proposed to become effective on the date shown: W R Wheeler (Applicant) on October 3 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission The prodiction of the Commission The pro-

unlawful

Description	Purchâsor	Rate schedule designation	Effective date 1
Notice of change, undated . United Fuel Gas Co	United Fuel Gas Co	Supplement No 1 to Applicants Nov 3 1955 FPG Gas Rate Schedule No 1	Nov 3 1955

1 The stated effective date is the first day after expiration of the required 30 days notice or the effective date proposed by Applicant flater

participate as provided by section 18 and 137 (f) (18 CFR 18 and 137 (f)) of the Commissions rules of practice (B) Interested State commissions may and procedure Act sion enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders;

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter

Adopted: November 2, 1955 Issued: November 2 1955

By the Commission.1

[F R Doc 55-9100; Filed Nov 9 1955; Acting Secretary J H. GUTRIDE 8:54 a m.] [SEAL]

\*Commissioner Digby dissenting

to be fixed by notice from the Secretary concerning the lawfulness of said pro-

posed changes in rates and charges; and

a public hearing be held upon a date

CHANGES IN [Docket No G-9602] ORDER SUSPENDING PROPOSED JAMES L WOODS RATES James L Woods (Applicant) on October 3, 1955 tendered for filing proposed

F R Doc 55-9099; Filed Nov 9 1955;

8:54 a m]

Acting Secretary

J H GUTRIDE

shown:

Description	Purchaser	Rate schedule designation	Effective date 1
Notice of change undated	United Fuel Gas Co	Supplement No 1 to Applicants Nov 3, 1955 FPO Gas Rate Schedule No 1	Nov 3, 1955
_			

! The stated effective date is the first day effor expiration of the required 30 days notice or the effective date proposed by Applicant Clator

participate as provided by sections 18 and 137 (f) of the Commission's rules of practice and procedure (18 CFR 18 and 137 (f)) (B) Interested State commissions may The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise

Adopted: November 2 1955

Issued: November 2 1955

J H GUTRIDE By the Commission 1 [SEAL]

R Doc 55-9101; Filed, Nov 9, 1955; Acting Secretary 8:55 a m] 탈 The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated

[Docket No G-9603]

(A) Pursuant to the authority con-

tained in sections 4 and 15 of the Natural

Gas Act and the Commission's general rules and regulations (18 CFR Chapter

thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until April 3, 1956 and until such further time as it is made effective in the

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise

The Commission finds: It is necessary and proper in the public interest and to

unlawful

aid in the enforcement of the provisions of the Natural Gas Act that the Commis-

manner prescribed by the Natural Gas

concerning the lawfulness of said pro-

posed changes in rates and charges; and

supplement be suspended and the use

thereof deferred as hereinafter ordered

The Commission orders:

ORDER SUSPENDING PROPOSED CHANGES IN PAN AMERICAN PRODUCTION CO ET AL RATES

changes in presently effective rate schedules for sales subject to the jurisdiction
of the Commission The proposed
changes which constitute increased
rates and charges are contained in the
following designated filing which is proposed to become effective on the date Pan American Production Company (Operator) et al (Applicant) on October 3 1955, tendered for filing proposed shown: I) a public hearing be held upon a date to be fixed by notice from the Secretary pending such hearing and decision

the above-designated supple-

thereon,

ment be and the same hereby is sus-

pended and the use thereof deferred until April 3 1956 and until such further

time as it is made effective in the manner prescribed by the Natural Gas Act

tion Effective	ntsFPC Nov. 3 1955
Rate schedule designation	Supplement No. 1 to Applicant s FPC Nov. 3 1955 Gas Eate Schedule No 2.
Purchaser	•
Description	Notice of change, dated Sept. United Fuel Gas Co

t The stated effective date is the first day after expiration of the required 30 days' notice or the effective date proposed by Applicant flater.

(Applicant), on October 5, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission The proposed changes, which constitute increased rates and charges, are contained in the following designated filing

\(B) Interested State commissions may participate as provided by sections 18 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 18 and 137 (f)) The increased rates and charges proposed in the aforesaid filling have not been shown to be justified, and may be unduly discriminatory, or preferential, or otherwise ununi easonable,

unjust,

The Commission finds: It is necessary aid in the enforcement of the provisions of the Natural Gas Act that the Comproper in the public interest and to

mission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplement be suspended and the use there of deferred as hereinafter ordered To-Commission orders:

(A) Pursuant to the authority contained in sections 4 and 16 of the Natural Gas Act and the Commission's general rules and regulations (18 CFF, Chapter 1), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, prosed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and 1956, and until such further time as it is made effective in the manner prescribed the use thereof deferred until April 3, by the Natural Gas Act

Coltexo Colpolation (Applicant), on Octobel 6, 1955 tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission The proposed changes which constitute in-

the use thereof defenced until April 3, creased rates and charges, are contained 1956, and until such futher time as it is in the following designated filing, which made effective in the manner prescribed is proposed to become effective on the by the Natural Gas Act date shown:	Rale zehedule designation Bifeetivo	Supplement No. 1 to Applicant 6 PPC Use 6, 1023 Use Rate Schedule No 1
uch until April 3, cri urther time as it is in manner prescribed is et	Purchastr	
the use thereof deferred the use thereof deferred in the fin the made effective in the many the Natural Gas Act	Description	Notice of change, dated Oct. United Fuel Gas Co

or the stated effective date is the first day offer explication of the required 30 days notice or the effective date propered by Applicant flater. v 0, 1023

been shown to be justified, and may be unjust, unreasonable, unduly discrimi-natory, or preferential, or otherwise The increased rates and charges proposed in the aforesaid filling have not The Commission finds: It is necessary unlawful

and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearling concernding the lawfulness of the said proposed changes, and that the above-designated supplement he suspended and the use therefore ordered The Commission orders:

tained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary posed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until April 6, 1956, and until such further time as it concerning the lawfulness of said pro-1956, and until such further time as

Commissioner Digby dissenting

(B) Interested State commissions may participate as provided by sections 18 and 137 (f) of the Commission's rules of practice and procedure (18 CFR 18 and 137 (f))
Adopted: November 2, 1955 effective in the manner preis made effective in the mani scribed by the Natural Gas Act,

ORDER SUSPENDING PROPOSED CHANGES IN

RATES

The Mid-Gulf Exploration

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Mid-Gulf Exploration

[Docket No G-9605]

Adopted: November 2, 1955

Issued: November 2, 1955

By the Commission 1

[SEAL] 异 Ŀ

Issued: November 2, 1955

J H GUTRIDE, By the Commission 1

55-9103; Filled, Nov 9, 1955; 8:55 a m l Acting Secretary õ ß 드

Doc 55-9102; Filed, Nov 9 1955; 8:55 a m ]

J H. Gurride, Acting Secretary

which is proposed to become effective on the date shown:

5,1955 Nov Supplement No. 1 to Applicant s FPC Gas Rate Schedule No 1 Rata schedulo designation Purchaser

Notice of change, dated Oct 1, 1955

ORDER SUSPENDING PROPOSED CHANGES IN

[Docket No G-9604]

COLTEXO CORP

Description

1 The stated effective date is the first day after expiration of the required 39 days notice, or the effective date proposed by Applicant Clater (B) Interested State commissions may The increased lates and charges proposed in the aforesaid filing have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential or otherwise unlawful United Fuel Gas Co

Adopted: November 2, 1955

By the Commission 1

Dec 55-9104; Filed, Nov 9, 1955; 8:55 a m ] ĸ ۳

Jay Simmons et al (Applicant), on October 4, 1955 tendered for filing proposed changes in presently effective rate schedules for sales subject to the Julisdiction of the Commission. The proposed changes, which constitute increased rates and changes, an contained in the following designated filing, which is proposed to become effective on the date shown

participate as provided by sections 18 and 137 (f) (18 CFR 18 and 1.37 (f) of the Commission's rules of practice and procedure

Issued: November 2, 1955

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Com-

Acting Secretary

mission enter upon a hearing concerning the lawfulness of the said proposed changes and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

ONDER SUSPENDING PROPOSED CHANGES IN [Docket No G-9000] JAY SIMMONS ET AL RATES

tained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereson the above-designated supplement be and the same hereby is suspended and the use thereof deferred until April 5, 1956, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act participate as provided by sections 18 and 1.37 (f) of the Commission s rules of practice and procedure (18 CFR 18 and 137 (f))

Adopted: November 2, 1955

Issued: November 2 1955

By the Commission Y

[SEAL]

mission enter upon a hearing concern-ing the lawfulness of the said proposed

changes and that the above-designated

supplement be suspended and the use thereof deferred as hereinafter ordered

The Commission orders:
(A) Pursuant to the authority contained in sections 4 and 15 of the Natural

rules and regulations (18 CFR Chapter

Gas Act and the Commission's general

(B) Interested State commissions may

The increased rates and charges pro-

which is proposed to become effective on

the date shown

Rate schedule designation

Purchaser

Description

for filling proposed changes in presently effective rate schedules for sales subject to the junisdiction of the Commission The proposed changes which constitute increased rates and charges are contained in the following designated filling,

Tide Water Associated Oil Company (Applicant) on October 3 1955 tendered

ORDER SUSPENDING PROPOSED CHANGES IN

Tide Water Associated Oil Co

[Docket No G-9608]

Description	Purchaser	Rate schedule designation	Effective date 1	posed in the aforesaid filing have not been shown to be justified, and may be
hange dated	Notice of change dated United Fuel Gas Co Oct 1 1955	Supplement No 2 to Applicants Nov 4 1955 FPO Gas Rate Schedule No 7	Nov 4 1955	unjust unreasonable, unduly discrimina- tory, or preferential, or otherwise un- lawful
<sup>1</sup> The stated effective date is posed by Applicant if later	the first day after expiration of	<sup>1</sup> The stated effective date is the first day after expiration of the required 30 days notice or the effective date proceed by Applicant if later	tive date pro-	The Commission finds: It is necessary and proper in the public interest and to
eased rates	The increased rates and charges pro-	The increased rates and charges pro- (B) Interested State commissions	mmissions	and in the enforcement of the provisions of the Natural Gas Act that the Com-

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust unreasonable, unduly discriminatory, or preferential, or otherwise unlawful

visions of the Natural Gas Act that the and proper in the public interest and Commission enter upon a hearing concerning the lawfulness of the said proignated supplement be suspended and The Commission finds: It is necessary to aid in the enforcement of the proposed changes and that the above-desthe use thereof deferred as hereinafter

[SEAL]

The Commission orders: oı dered.

unal Gas Act and the Commissions Chapter I) a public hearing be held ther time as it is made effective in the tained in sections 4 and 15 of the Natgeneral rules and regulations (18 CFR, upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and pending such hearing and decision thereon the above-designated supplement be and the same hereby is suspended and the use thereof deferred until April 4 1956 and until such furmanner prescribed by the Nafural Gas (A) Pursuant to the authority

Supplement No. 1 to Applicant sFPO Gas Rate Schedule No. 1 Rate schedule designation United Fuel Gas Co Purchaser Notice of change undated Description

Nov 3 1955

The stated effective date is the first day after expiration of the required 30 days notice or the effective date proposed by Applicant filter

may participate as provided by sections (B) Interested State commissions 18 and 137 (f) of the Commissions Rules of Practice and Proceduse (18 CFR 18 and 137 (f))

R Doc 55-9106; Filed Nov 9 1955;

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8:55 a m]

Acting Secretary J H GUTRIDE

Adopted: November 2, 1955

Issued: November 2 1955 By the Commission 1

Acting Secretary J H GUTRIDE

D, a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and pending such hearing and decision thereon the above-designated supplement be and the same hereby is sus-55-9105; Filed Nov 9 1955; 8:55 a m ] R Doc Ŀ

ORDER SUSPENDING PROPOSED CHANGES IN JOHN L ABERCROMBIE ET AL [Docket No G-9607]

April 3, 1956 and until such further time as it is made effective in the manner

prescribed by the Natural Gas Act

pended and the use thereof deferred until

fective rate schedules for sales subject The proposed changes which constitute cant); on October 3 1955 tendeled for filing proposed changes in presently efincreased rates and charges are conwhich is proposed to become effective on John L Abercrombie et al (Applito the jurisdiction of the Commission tained in the following designated filing the date shown:

1 The stated effective date is the first day after expiration of the required 30 days notice or the effective date proposed by Applicant flater Nov 3 1955 Supplement No 3 to Applicants FPO Gas Rate Schedule No 26 The increased rates and charges pro-

United Fuel Gas Co

Notice of change undated

posed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable unduly discrimaid in the enforcement of the provisions of the Natural Gas Act that the Comthe lawfulness of the said proposed inatory, or preferential, or otherwise un-The Commission finds: It is necessary and proper in the public interest and to mission enter upon a hearing concerning changes and that the above-designated

thereof deferred as hereinafter ordered The Commission orders

posed in the atolesaid militis maye more	THE COMMISSION OF WELLS.
been shown to be justified, and may be	(A) Fursuant to the authority con-
unjust, unreasonable unduly discrim-	tained in sections 4 and 15 of the Nat-
inatory, or preferential, or otherwise un-	ural Gas Act and the Commission's Gen-
lawful	eral Rules and Regulations (18 CFR,
The Commission finds: It is necessary	Chapter I), a public hearing be held
and proper in the public interest and to	upon a date to be fixed by notice from
aid in the enforcement of the provisions	the Secretary concerning the lawfulness
of the Natural Gas Act that the Com-	of said proposed changes in rates and
mission enter upon a hearing concerning	charges; and pending such hearing and
the lawfulness of the said proposed	decision thereon the above-designated
changes and that the above-designated	supplement be and the same hereby is
supplement be suspended and the use	suspended and the use thereof deferred

<sup>\*</sup>Commissioner Digby dissenting

until April 3 1956 and until such further time as it is made effective in the man-

may participate as provided by sections 18 and 137 (f) of the Commissions rules of practice and procedure (18 CFR (B) Interested State commissions ner prescribed by the Natural Gas Act 18 and 137 (f))

Adopted: November 2, 1955

schedules for sales subject to the jurdis-

posed changes in presently effective rate diction of the Commission The moposed changes, which constitute in-

Texas Company (Applicant), on October, 3, 1955 tendered for filling pro-

ORDER SUSPENDING PROPOSED

CHANGES IN RATES

[Docket No G-9609]

TEXAS Co

creased rates and charges are contained in the following designated filing, which is proposed to become effective on the

Issued: November 2, 1955

J H GUTRIDE By the Commission 1

[SEAL]

55-9107; Filled Nov 9 1955; Acting Secretary 8:56 a m] ğ 跘

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date shown:

Nov 3, 1935 Supplement No. 1 to Applicant 8 FPO Gas Rate Schedule No 6 Rate selectule designation United Fuel Gas Co Purchaser Notice of change, undated Description

The stated effective date is the first day after expiration of the required 80 days notice, or the effective date proposed by Applicant flater

The increased rates and changes proposed in the aforesaid filling have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise un-

and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concephing the lawfulness of the said proposed changes. and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary pending such hearing and decision thereon, the above-designated suppleconcerning the lawfulness of said proposed changes in rates and charges; and, ment be and the same hereby is thereon,

1 Commissioner Digby dissenting

pended and the use thereof deferred un-til April 3 1956, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act (B) Interested State commissions may

participate as provided by sections 18 and 137 (f) of the Commissions rules of practice and procedure (18 CFR 18 and 137 (f))

Adopted: November 2, 1955 Issued: November 2, 1955

By the Commission

Acting Secretary J H GUINIDE, [SEAL]

Doc 55-9103; Filed, Nov 9 1955; 8:55 a m.] ď 

[Docket No G-9610]

SUSPENDING PROPOSED CITANGES IN WARREN PETROLEUM CORP ONDER

RATES

plicant), on October 3, 1966, tendered for filling proposed changes in presently effective rate schedules for sales subject Wallen Petioleum Corporation (Ap-

tained in the following designated filing which is proposed to become effective on the date shown: to the junisdiction of the Commission The proposed changes, which constitute increased rates and charges, are con-

Nov 3, 1055	Supplement No. 7 to Applicant s FPO Nov 3, 1055 Gas Rato Schedulo No 18	Toxas Eastern Transmission Su Oorp	Notice of change, undated
Effective date 1	Rato schedulo designation	Purchasor	Description

1 The stated effective date is the first day after expiration of the required 30 days notice, or the effective date proposed by Applicant flater sections 18 of the Commission stules of practice and participate as provided by sections 18 and 137 (f) (18 CFR 18 and 137 (f)) procedure The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust unreasonable, unduly discriminatory, or preferential, or otherwise

J H Gotride, Acting Secretary Adopted: November 2, 1955 Issued: November 2, 1955 By the Commission [SEAL] The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commis-

unlawful

Effective date 1

Doc 55-9109; Filed, Nov 9, 1955; 8:56 a m ] 跘 旦

and that the above-designated supple-lawfulness of the said proposed changes, and that the above-designated supple-ment be suspended and the use thereof deferred as hereinafter ordered The Commission orders:

(A) Pursuant to the authority con-tained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter 1), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said pro-posed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supple-ment be and the same hereby is sus-pended and the same hereby is sus-pended and the use thereof deferred until April 3, 1956, and until such further v time as it is made effective in the man-ner prescribed by the Natural Gas Act (B) Interested State commissions may

order suspending proposed changes in Southwest Gas Producing Co, Inc RATES

[Docket No G-9611]

Southwest Gas Producing Company, Inc (Applicant), on October 3, 1966, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing which is proposed to become effective on the date shown:

Description	Purchasse	Rato echedulo designation	Effectivo date t
Notice of change, undated	Texas Eastern Transmission Corp	Texas Kastern Transmission Supplement No. 210 Applicant s FPO Nov. 3, 10 5 Corp	Nov. 3, 10 5

oThe stated effective date is the first day after expiration of the required 30 days wolfes, or the effective date proposed by Applicant Cater

discrimi-otherwise unjust, unicasonable, unduly natory, or preferential, or unlawful The increased rates and charges proposed in the aforesaid filling have not been shown to be justified, and may be The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until April 3, 1956, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Interested State commissions may participate as provided by sections 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f))

of the Commission's rules of practice and procedure.

Adopted: November 2, 1955.

Issued: November 2, 1955.

By the Commission.1

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 55-9110; Filed, Nov. 9, 1955; 8:56 a. m.]

[Docket No. G-9612]

SOUTHWEST GAS PRODUCING Co., INC.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Southwest Gas Producing Company, Inc. (Applicant) on October 3, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing which is proposed to become effective on the date shown:

Description	Purchaser	Rate schedule designation	Effective date 1
Notice of change, undated	Texas Eastern Transmission Corp.	Supplement No. 9 to Applicant's FPC Gas Rate Schedule No. 6.	Nov. 3, 1955

<sup>&</sup>lt;sup>1</sup>The stated effective date is the first day after expiration of the required 30 days' notice, or the effective date proposed by Applicant if later.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the 'lawfulness of the said proposed changes, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until April 3, 1956, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Interested State commissions may participate as provided by sections 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of prac-

tice and procedure.

By the Commission.<sup>1</sup>
Adopted: November 2, 1955.
Issued: November 2, 1955.

[SEAL]

J. H. GUTRIDE, Acting Secretary.

[F. R. Doc. 55-9111; Filed, Nov. 9, 1955; 8:56 a. m.]

### INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

NOVEMBER 7, 1955.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the Federal Register.

LONG-AND-SHORT HAUL

FSA No. 31280: Corn from Madison, Fla., to Georgia. Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on corn, shelled, in bulk, carloads from Madison, Fla., to Augusta and Waynesboro, Ga.

Grounds for relief: Circuity.

Tariff: Supplement 108 to Agent Spaninger's I. C. C. 1325.

FSA No. 31281. Petroleum coke from Oklahoma to West Virginia. Filed by F C. Kratzmeir, Agent, for interested rail carriers: Rates on petroleum coke, carloads from Ponca City and Tulsa, Okla., to Clarksburg and Kenova, W Va.

Grounds for relief: Market competition, short-line distance formula, and circuity.

Tariff: Supplement 52 to Agent Kratzmeir's I. C. C. 3983. FSA No. 31282: Molasses from New

FSA No. 31282: Molasses from New Orleans to Texas and New Mexico. Filed by J. F Brown, Agent, for interested rail carriers. Rates on blackstrap molasses, carloads from New Orleans, La., to points in Texas and New Mexico.

Grounds for relief: Port competition and to maintain rates prescribed in Docket No. 31461, decided June 1, 1955.

Tariff: Supplement 122 to Agent Brown's I. C. C. No. 796.

FSA No. 31283: Caustic soda to Jeffcr-sonville, Ind. Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on caustic soda, in solution, tank-car loads from Baton Rouge, North Baton Rouge, La., Memphis, Tenn., and Calvert, Ky.

Grounds for relief: Market competition and circuity.

Tariffs: Supplement 169 to Agent Spaninger's I. C. C. 1351, Supplement 141 to Agent J. H. Marque's I. C. C. 417.

By the Commission.

[SEAL] HAROLD D. MCCOY, Secretary.

[F R. Doc. 55-9067; Filed, Nov. 9, 1955; 8:48 a. m.]

#### SMALL BUSINESS ADMINISTRA-TION

[SBA Group Loan Request 1]

NORTHERN NATIONAL BANK OF PRESQUE ISLE AND MAINE STARCH SALES CO.

REQUEST FOR LOAN TO MAINE STARCH SALES CO. FOR BENEFIT OF CERTAIN COMPANIES

Pursuant to section 207 of the Small Business Act of 1953, as amended by Public Law 268 of the 84th Congress, 1st Session, the request of Northern National Bank of Presque Isle, Maine (hereinafter called "Bank") and Maine Starch Sales Company, Presque Isle, Maine (hereinafter called "Borrower") on Applications dated October 6, 1955, for an immediate participation of 90 percent of a loan in the amount of \$700,000 to be made by Bank to Borrower for the benefit of certain companies, was approved by me on October 27, 1955.

I find that the making of this loan does contribute to the needs of small business. This finding has been concurred in by the Attorney General after consultation with the Attorney General and with the Chairman of the Federal Trade Commission pursuant to section 207 (a) of the Small Business Act of 1953, as amended by Public Law 268, 84th Congress, 1st Session.

Borrower and the participating companies, namely.

Aroostock Potato Products, Inc., Houlton, Maine.

Colbey Co.-operative Starch Co., Caribou, Maine.

Eastern Maine Starch Co., Caribou, Maine, Frenchville Starch Co., Frenchville, Maine, Frontier Starch Co., Fort Fairfield, Maine, Grand Isle Starch Co., Grand Isle, Maine, Higgins & Lenfest, Inc., Mapleton, Maine, Harold Leighton, Limestone, Maine, Long Lake Starch Co., Long Lake, Maine, Machias Starch Co., Ashland, Maine, New England Starch Co., Caribou, Maine, Northern Aroostock Starch Co., Fort Kent, Maine.

Gertrude Osborne, Fort Fairfield, Maine. Page Starch Co., Caribou, Maine. Philbrick Starch Co., Van Buren, Maine. C. A. Powers Co., Fort Fairfield, Maine. Presque Isle Starch Co., Presque Isle,

Maine.
G. H. Stone & Sons, Inc., Fort Fairfield, Maine.

Westfield Starch Co., Westfield, Maine.

<sup>&</sup>lt;sup>1</sup> Commissioner Digby dissenting.

8441

are hereby granted immunity from prosecution under the Federal Antitrust Laws and Federal Trade Commission Act, provided that the proceeds of the loan shall be used by the participating companies for the purpose of purchasing raw materials for use in the manufacture of potato starch, and provided further, that

Borrower will not engage in the sale or distribution of manufactured potato starch either on Borrower's own behalf, or on behalf of, or as agent of, any of the participating companies, but that Borrower's activities will be restricted to assisting participating companies in purchasing or acquiring a supply of un-

are hereby granted immunity from pros- Borrower will not engage in the sale or processed potatoes for their individual ecution under the Federal Antitrust Laws distribution of manufactured potato requirements.

Dated: October 31, 1955.

Wendell B. Barnes,
Administrator
Small Business Administration.

[F. R. Dec. 55-9051; Filed, Nov. 9, 1955;
8:45 a. m.]